

Exhibit 3

Todd Courser deposition, Jan 28, 2020

Todd Courser

01/28/2020

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION

4 TODD COURSER,

5 Plaintiff,

Case No. 1:18-cv-01232

6 vs.

Hon. Gordon J. Quist

7 RADISSON HOTELS INTERNATIONAL, INC., a Mag. Phillp J. Green

8 Delaware corporation, RADISSON GROUP,

9 INC., a Minnesota corporation, CARLSON

10 REZIDOR HOTEL GROUP, an international

11 partnership, BLOCK 100 LIMITED

12 PARTNERSHIP, a Michigan limited

13 partnership, and WINEGARDNER &

14 HAMMONS, INC., an Ohio corporation,

15 and WINEGARDNER & HAMMONS HOTEL GROUP,

16 LLC, a Delaware limited liability

17 company,,

18 Defendants.

19 _____/

20

21 DEPOSITION OF TODD COURSER

22 taken by the Defendants on Tuesday, January 28, 2020, at the

23 office of DePerno Law Office, 951 W. Milham Avenue, Portage,

24 Michigan, at 10:09 a.m.

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(Attached hereto.)

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1 Portage, Michigan

2 Tuesday, January 28, 2020 - 10:09 a.m.

3 TODD COURSER,

4 having been called and duly sworn:

5 MR. KOSTELLO: Would you please state your full
6 name for the record?

7 **THE WITNESS: Todd Anthony Courser.**

8 MR. KOSTELLO: Let the record reflect this is
9 the deposition of Mr. Todd Anthony Courser. It's taken
10 pursuant to notice, to be used for any and all purposes
11 under the Federal Rules of Civil Procedure.

12 EXAMINATION

13 BY MR. KOSTELLO:

14 Q. Mr. Courser, my name's Tony Kostello. I represent the
15 Defendants in this matter. I understand you're an
16 attorney so you understand the deposition process,
17 generally.

18 Have you ever given a deposition before?

19 **A. I have.**

20 Q. Okay. So you know generally what the rules here are. I
21 will tell you obviously the court reporter's taking down
22 everything that's being said. You're gonna know the
23 answers to a lot of my questions before I spit them out of
24 my mouth. Just so we have a clear record, let me finish
25 my question before you give an answer; okay?

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1 **A. Yep.**

2 Q. If there's ever a time where you don't understand a
3 question or just think I'm, you know, being vague or
4 whatever, please make me re-ask or rephrase the question.
5 If you give an answer to a question, I'm gonna assume that
6 you understood it; okay?

7 **A. (Nodding head affirmatively.)**

8 COURT REPORTER: Answer out loud, please.

9 BY MR. KOSTELLO:

10 Q. Obviously, your answers have to be verbal. Head nods --

11 **A. You want me to respond?**

12 Q. Yes.

13 **A. Okay.**

14 Q. Head nods, head shakes, you know, obviously she can't take
15 down.

16 **A. I just saw you cough in there and so I --**

17 Q. Yeah. And then I will tell you this. This is not an
18 endurance test, so if there's ever a time you need to take
19 a break at all, let me know. We can do that. I would
20 just ask that you answer any question pending at that
21 time; okay?

22 **A. Yeah. Well, I have -- I've had some coffee so I'll**
23 **probably have to use the restroom a few times.**

24 Q. Okay. What's your date of birth?

25 **A. August 2nd of 1972.**

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- 1 Q. And your current address?
- 2 A. It is 3110 Murphy Lake Road, Silverwood, Michigan, 48760.
- 3 Q. How long have you lived there?
- 4 A. Since '98, 1998.
- 5 Q. Okay. Any plans on moving anytime in the near future?
- 6 A. Not that I'm aware of.
- 7 Q. And who do you reside there with?
- 8 A. My wife and my four children. Three are at home; one is
- 9 away at college.
- 10 Q. Your wife's name is?
- 11 A. N-a-m-f-o-n.
- 12 Q. N-a-m-f-o-n?
- 13 A. Yes.
- 14 Q. How long have you two been married?
- 15 A. Since 1997.
- 16 Q. Any divorce filings in those years?
- 17 A. No.
- 18 Q. Any separations?
- 19 A. Nope.
- 20 Q. Where were you two married?
- 21 A. North Branch, Michigan.
- 22 Q. Your oldest child is named?
- 23 A. Chloe Anne Courser. Chloe Anne, two words.
- 24 Q. What's her date of birth?
- 25 A. November 17th of 1999.

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1 Q. And she's the one currently at school?

2 A. Yes, she is.

3 Q. Where does she go to school?

4 A. New York City.

5 Q. Is she in college there?

6 A. She is.

7 Q. What college?

8 A. Kings College.

9 Q. What year is she?

10 A. I don't know what you would say year because she's a
11 transfer student.

12 Q. Where did she transfer from?

13 A. Spring Arbor University. She did her first classes, I
14 think, at Mott Community College and then went to Spring
15 Arbor for a year and now she's completing a year at Spring
16 Arbor University --

17 Q. Then after --

18 A. --no -- now she's completing a year at -- I'm sorry --
19 Kings College.

20 Q. Kings College. After Chloe comes?

21 A. Elijah. E-l-i-j-a-h.

22 Q. Date of birth?

23 A. Daniel Courser. So it would be Elijah Daniel Courser. I
24 don't know the year, so it's April 12th is his birthday.
25 I would have to do some math on that.

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- 1 Q. Is he in high school now?
- 2 **A. He's seventeen.**
- 3 Q. Okay. So '02?
- 4 **A. I think so.**
- 5 Q. Is he a junior in high school?
- 6 **A. Yes. He's finishing his junior year.**
- 7 Q. Okay. Where does he go to school?
- 8 **A. He's home schooled.**
- 9 Q. And after Elijah comes?
- 10 **A. Adoniram, A-d-o-n-i-r-a-m.**
- 11 Q. Date of birth?
- 12 **A. Is -- I'm, I'm at a loss. I'm sorry.**
- 13 Q. How old is --
- 14 **A. I'd have to think about that.**
- 15 Q. Boy or girl?
- 16 **A. No. He's a son. Yes.**
- 17 Q. And how old is he?
- 18 **A. He's sixteen.**
- 19 Q. Is he also home schooled?
- 20 **A. He is.**
- 21 Q. Would be a sophomore?
- 22 **A. Yes.**
- 23 Q. And then your fourth child?
- 24 **A. Israel Jacob Courser.**
- 25 Q. Date of birth?

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- 1 A. It's December 2nd. I don't know what year.
- 2 Q. How old?
- 3 A. He's fourteen.
- 4 Q. Just turned fourteen?
- 5 A. Yes.
- 6 Q. Okay. So '05?
- 7 A. I think so.
- 8 Q. Eighth grade?
- 9 A. He's a little ahead. So --
- 10 Q. Ninth grade?
- 11 A. Probably.
- 12 Q. Home schooled?
- 13 A. Yes. He's already taken his SAT once, so he's a little
- 14 bit ahead.
- 15 Q. Let's go through your educational background a little bit.
- 16 High school graduate?
- 17 A. I was.
- 18 Q. 1990?
- 19 A. '90.
- 20 Q. Where'd you graduate from high school?
- 21 A. Lapeer East High School.
- 22 Q. Attend college after that?
- 23 A. I went to Mott Community College, then I went to
- 24 University of Michigan Flint, then I went to Thomas M.
- 25 Cooley Law School.

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1 Q. Did you obtain an associate' degree from Mott?

2 A. I don't think I ever did. I think I got as many credits

3 as they'd allow to transfer. They had some program with U

4 of M and --

5 Q. Did you receive a degree from U of M Flint?

6 A. I did.

7 Q. What was that degree in?

8 A. Bachelor's in business administration.

9 Q. '94?

10 A. I don't think so. I think it was '95.

11 Q. Did you go straight to law school after that?

12 A. Did not.

13 Q. What did you do after graduating from U of M Flint?

14 A. I ended up, I ended up -- I worked at several different

15 places and then I started my accounting and tax practice.

16 Q. Okay.

17 A. And then I started law school in the fall of '99. Chloe

18 was born that first semester.

19 Q. And when did you complete your degree at Cooley?

20 A. I think it was four years. I think it was four years. I

21 think we were -- maybe that's how that worked --

22 Q. Okay.

23 A. -- because I took a semester off each year to do tax

24 season.

25 Q. All right. So received your J.D. in 2003, spring of 2003?

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1 **A. Probably, yeah, I would think so.**

2 **Q. And you took the Michigan Bar?**

3 **A. I did.**

4 **Q. And when did you take that?**

5 **A. I don't know.**

6 **Q. Okay. Did you pass the first time?**

7 **A. No, I did not.**

8 **Q. How many times did you take it?**

9 **A. The second time I passed it. I took it immediately out of**
10 **school and then I didn't study for it and then I failed**
11 **by -- I don't know -- it was -- and then the next time**
12 **around, I actually did the prep.**

13 **Q. And when were you admitted to the Michigan Bar?**

14 **A. I'm not sure.**

15 **Q. What's your Bar number?**

16 **A. P69829.**

17 **Q. I want to go back to where you worked after graduating**
18 **from U of M Flint.**

19 **What was your first job after U of M Flint?**

20 **A. Well, I was still -- I worked at Meijer through college,**
21 **so I think I still worked there a little while after U of**
22 **M Flint.**

23 **Q. What were you doing there?**

24 **A. I worked in the Meat Department.**

25 **Q. Okay. And then after that, what was your next employment?**

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1 A. I started out in getting my securities licensing, so I did
2 a short stint with a couple of different brokerage
3 firms -- Edward Jones, a company called, I think it was
4 called Dean Witter at the time -- and then I moved over to
5 a mortgage company that's no longer in business, like it
6 was in Lapeer.

7 Q. What was that called?

8 A. I think it was called CM Mortgage or CAM or CMA Mortgage,
9 something like that. They just did -- they were a
10 mortgage broker originator.

11 Q. How long were you there?

12 A. Not long. Probably -- I was, I was using those first jobs
13 to acquire licensing is the deal. And then I went to work
14 for a tax practice that was out of Flint, a tax and
15 accounting practice.

16 Q. What was the name of that?

17 A. It's no longer there and I don't know. The guy's first
18 name was Clarence.

19 Q. How long were you there?

20 A. Just that first season. Yeah. That first season, I think
21 that was in '97 or '98. It was -- maybe it was '96,
22 somewhere right in there.

23 Q. Okay. And what did you do after that?

24 A. Then I started my tax and accounting practice.

25 Q. What was the name of that?

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1 A. Started out, it was really just a d/b/a. I think it
2 was -- I think I did like TA Courser, or Todd, and then it
3 became Todd Courser & Company, I think, is how we did it,
4 LLC.

5 Q. Where was that located?

6 A. The first location was -- I think it was 235 West Genesee
7 Street.

8 Q. What city?

9 A. Lapeer. A little house there.

10 Q. Where was Todd Courser & Company, LLC operating out of?

11 A. Out of that little house.

12 Q. The same one?

13 A. Yeah. It was just the same. It was just me.

14 Q. How long did you operate Todd Courser & Company, LLC?

15 A. I still am.

16 Q. Okay.

17 A. Yeah. I don't do as much tax anymore, but --

18 Q. And where does it currently live?

19 A. It's at my -- the office where I'm at now.

20 Q. Which is?

21 A. 455 South Main Street, which is a little house again.

22 Q. In Lapeer?

23 A. Yeah. Yeah.

24 Q. How long have you been at that address?

25 A. I wanna say I moved in there in 2003 or '04.

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1 Q. Is that a house you own or do you --

2 A. No.

3 Q. You just rent space there?

4 A. I rent space there. Yeah.

5 Q. Are you the only occupant of that space?

6 A. I am. Yeah.

7 Q. You've been there continuously since '03 or '04?

8 A. '03 or '04. Yeah. Yeah.

9 Q. And who's your landlord?

10 A. Well, it's a partnership between myself and my

11 brother-in-law but it's in a different LLC.

12 Q. Okay. So the different LLC owns it?

13 A. Yeah.

14 Q. What's the name of the LLC that owns that building?

15 A. 455 South Main Street, LLC.

16 Q. What's the name of your brother-in-law?

17 A. Raymond Megie.

18 Q. Where does Raymond live?

19 A. He lives in Metamora.

20 Q. What does he do for a living?

21 A. He's a realtor.

22 Q. Do you know when you incorporated Todd Courser & Company,

23 LLC?

24 A. It was, it was around that same time of '90 -- what did I

25 say that we started that -- '96? So if we started in '96,

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1 it was probably in '98 that I, that I created that name.

2 I'd have to check the State website to --

3 Q. Does Todd Courser & Company, LLC have any employees?

4 A. No. I do have one employee that will work occasionally

5 because it's just tax stuff. So --

6 Q. Yeah. Seasonal kind of stuff? Tax season work?

7 A. Yeah. Yeah. Yep.

8 Q. What is his or her name?

9 A. Her name is Karen Couture.

10 Q. Can you spell that?

11 A. C-o-u-t-u-r-e. I think that's how you spell it. She only

12 works remotely now though. She moved. So --

13 Q. Where does she live?

14 A. Downriver. So she -- I don't know the town. South of
15 Detroit. She got, she got remarried and moved down there.

16 Q. What was the first legal employment you had after passing
17 the Bar and being admitted to practice here in the state
18 of Michigan?

19 A. I didn't. I didn't.

20 Q. No?

21 A. No. I already had a practice that was -- at that time it
22 was, it was, it was thriving pretty well as far as tax and
23 accounting, so I didn't. I didn't have time for that. I
24 started -- I had so many clients already at that point, I
25 couldn't. As a matter of fact, I started employing people

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1 at that point. So --

2 Q. Okay. And at any point did you start a legal practice?

3 A. Yeah.

4 Q. Okay. When was that?

5 A. I think as soon as I passed the Bar, then I started
6 practicing.

7 Q. Okay. Yeah. That's what I was asking you.

8 Like when was the first time after you passed
9 the Bar, you had a -- you were employed in the legal
10 profession?

11 A. Yeah. So you're just saying -- so then it was started at
12 that point, so it would've been '03 or '04, somewhere in
13 there --

14 Q. Okay. So did you start your own --

15 A. -- from my memory. Yeah.

16 Q. So did you start your own professional corporation?

17 A. Yeah.

18 Q. And what was the name of that?

19 A. Todd A. Courser, PLLC, or Todd A. Courser & Associates,
20 PLLC.

21 Q. And it's been in existence since 2003, 2004?

22 A. I think so. Yeah. Right in there.

23 Q. Does Todd A. Courser & Associates, PLLC have any employees
24 currently?

25 A. No. Karen either -- I can't remember if she's designated

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1 under the, the law practice or under the, the accounting
2 side. I can't remember. But she's the only employee
3 left. She works just a few hours.

4 Q. So I take it she would do work for both the accounting
5 practice and the law practice?

6 A. Depending on what's happening, exactly. Right.

7 Q. Right.

8 A. She doesn't do -- because she really wants to be done.
9 She only really does special assignments --

10 Q. Okay.

11 A. -- gets a project organized.

12 Q. Has your law practice had any employees, other than Karen,
13 over the years?

14 A. Yes. Oh, yeah. One time we had eight. So --

15 Q. When was that?

16 A. I wanna say probably '07 through '10, '10 or '12,
17 somewhere in there. I mean it went up. Then it started
18 to (indicating). So --

19 Q. Of those eight employees or so during that time frame, how
20 many of them were attorneys?

21 A. There were -- there usually was one other or two others,
22 and they would come out of law school or they had some
23 other issue and so they kinda housed themselves there for
24 a time.

25 Q. Okay.

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1 **A.** So you had employees but some of them worked accounting
2 and tax and the others worked the legal files that came
3 in.

4 **Q.** Gotcha. And --

5 **A.** It was a small town.

6 **Q.** What's the nature of your law practice?

7 Is it a little bit of everything or do you
8 specialize in anything in particular?

9 **A.** Mostly it was estate planning, some probate, and the vast
10 majority was probably tax, tax and tax resolution.

11 **Q.** Did you ever go and get your LLM or anything along those
12 lines?

13 **A.** Uh-uh.

14 **Q.** That's a no?

15 **A.** No. Excuse me. There was coffee there.

16 **Q.** I don't mean to be rude. I just need to make sure the
17 record is clear.

18 **A.** Yeah.

19 **Q.** You mentioned that you had eight employees or so at one
20 time. Then you said maybe from 2007 and 2010.

21 What happened at that point that that reduced
22 the number of employees?

23 **A.** I don't know. I think it was just there was -- you know,
24 you get better at it as time goes on and so you had less
25 employees and it just seemed like things kinda -- there

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1 was, there was some change.

2 So I had employees, for the most part, from that
3 point forward, but, you know, I was obviously looking to,
4 you know, as an owner, you try to reduce that and reduce
5 the inefficiencies that you can along the way.

6 Q. Sure. From up until the point you were elected to the
7 Michigan House of Representatives, were your two
8 businesses -- the tax business and the law business --
9 your only two sources of income?

10 A. Yes.

11 Q. Are you currently employed?

12 A. I'm doing the same thing.

13 Q. Okay. So tax business and the law practice?

14 A. Yep.

15 Q. Okay. And forgive me if I did not -- does either
16 currently have, either currently have any other employees,
17 other than Karen?

18 A. No. No.

19 Q. So it's just you, essentially, running both?

20 A. Yeah. And Karen might not even. Some weeks she works not
21 at all. So it will be weeks where there's no work and
22 then she'll work and I'll just electronically send her
23 some stuff and she'll work on it for me.

24 Q. Okay. And from an income standpoint, what's the
25 percentage that each business contributes to your income?

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1 A. It's probably a quarter or a third is tax and accounting,
2 and I would say the other, you know, obviously two-thirds
3 or three-quarters being the legal side. There's not much
4 income left.

5 Q. There's not much income left?

6 A. No.

7 Q. In 2019, what was your, what was your total income for
8 both businesses?

9 A. I think the -- I don't know for -- I had a server, my
10 server. I'm on my second guy trying to recover it. Both
11 the hard drive and the backup are, I guess, cooked, which
12 held everything, and that was right before Christmas, so
13 we're trying to recover that.

14 So I don't have any, I don't have any -- it's
15 crazy -- even my client stuff. I, I would guess it's 20
16 to 25,000 dollars.

17 Q. Between the two businesses?

18 A. Yeah, I would say.

19 Q. What about in 2018?

20 A. About the same. Yeah. My guess is it's about the same.
21 Everything's digital. So --

22 Q. 2017?

23 A. Probably a little more. And I don't -- I'd have to see
24 some documents to be able to remember anything further
25 than that.

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- 1 Q. 2016?
- 2 A. I can't. I can't mentally. I don't, I don't know.
- 3 Q. Do you currently --
- 4 A. I mean this is currently going on five years. So --
- 5 Q. Yeah. Do you currently have any other employment other
- 6 than your tax practice and your law practice?
- 7 A. No.
- 8 Q. Have you had any other employment since September of 2015?
- 9 A. What do you mean any other employment?
- 10 Q. Other than the tax practice and the law practice.
- 11 A. No.
- 12 Q. Is your wife currently employed?
- 13 A. She is.
- 14 Q. Where does she work?
- 15 A. She works at a dental office.
- 16 Q. What's the name of that?
- 17 A. I don't know the actual name of it. It's for Dr. Hale and
- 18 he's out of Davison.
- 19 Q. What does she do there?
- 20 A. Administration. She has an accounting degree herself.
- 21 Q. How long has she worked there?
- 22 A. Not long. Probably six months.
- 23 Q. Where was she employed before that?
- 24 A. She worked at Kohl's before that.
- 25 Q. Which Kohl's?

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- 1 A. The one in Lapeer.
- 2 Q. What was she doing there?
- 3 A. I don't really know. I think she did customer service.
- 4 Q. How long did she work there?
- 5 A. Probably six months as well.
- 6 Q. Do you own your home?
- 7 A. It's, it's in her name, so, so no.
- 8 Q. Has it always been in your wife's name?
- 9 A. No, it has not.
- 10 Q. When did that happen?
- 11 A. In the spring of last year.
- 12 Q. Why was that change made?
- 13 A. We, we are dealing with whether or not we're gonna remain
- 14 married, so ongoing discussions.
- 15 Q. Who home schools your children?
- 16 A. Well, for the most part, it's a shared effort, so I do,
- 17 she does, and I have three teachers in my family as well.
- 18 Q. Gotcha. So --
- 19 A. So both my sisters are teachers and my mother.
- 20 Q. When was --
- 21 A. When they get to be teenagers, they can pretty much --
- 22 Q. Yeah. I assume there's a lot of online stuff that they do
- 23 and whatnot; right?
- 24 A. It is very self-directed.
- 25 Q. Yeah.

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- 1 **A.** **So --**
- 2 Q. Okay. When was the first time you ran for public office?
- 3 **A.** **I think it was 2008.**
- 4 Q. What did you run for at that point?
- 5 **A.** **State Representative.**
- 6 Q. For Lapeer?
- 7 **A.** **Yeah. 82nd District. It could've been '06, but I think**
8 **it was '08.**
- 9 Q. How far did you get in that?
- 10 **A.** **It was a seven-way race.**
- 11 Q. You're talking primary?
- 12 **A.** **It was a primary. Yeah.**
- 13 Q. Republican primary?
- 14 **A.** **It was, yeah.**
- 15 Q. So seven people in the Republican primary?
- 16 **A.** **Yeah. I got in at the end. I didn't know what I was**
17 **doing.**
- 18 Q. So you didn't make it out of the primary?
- 19 **A.** **No. I definitely did not.**
- 20 Q. Any idea like where you finished out of the seven?
- 21 **A.** **I don't. Probably middle. That would be my guess.**
- 22 Q. Okay. Did you have a person that was running that
23 campaign for you?
- 24 **A.** **No.**
- 25 Q. Just doing it yourself?

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1 A. Yeah. I mean you had helpers, but nothing -- yeah.

2 Q. Okay. Who ended up winning that seat?

3 A. I think that was Kevin Daley.

4 Q. Was he the Republican candidate or the Democrat candidate?

5 A. He was the Republican. It's a Republican district.

6 Q. Kevin Daley?

7 A. D-a-l-e-y.

8 Q. And the terms for the House of Representatives?

9 A. The terms?

10 Q. The terms are how long?

11 A. Oh, you mean the --

12 Q. Yeah.

13 A. -- time in office?

14 Q. Yeah.

15 A. It's, it's a two-year term. Yep.

16 Q. Two-year. Okay.

17 When was the next time you ran for public

18 office?

19 A. The next time I ran for public office was the following

20 cycle, I ran for -- and this is -- there's a lot of them,

21 so -- and it was for State Senator, for the same district.

22 Q. So the following cycle would have been 2010?

23 A. Yes.

24 Q. You ran for State Senate?

25 A. Yeah, which is Lapeer County and St. Clair County. I

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1 don't think it has Sanilac. I think it's just those two
2 counties.

3 Q. Okay. And was the incumbent at that time a Republican?

4 A. Yes.

5 Q. Okay.

6 A. His name was, I think it was Gilbert I think is the guy's
7 last name. He was from Port Huron. His last name I think
8 was Gilbert.

9 Q. Okay. And so you ran in the primary?

10 A. Yes. It was an open seat because he was done.

11 Q. Oh, okay. He was term limited or --

12 A. Yes. Right.

13 Q. Gotcha.

14 A. That's correct.

15 Q. So how many people were running in that primary?

16 A. There were three people running in that primary -- a man
17 named Lauren Hager, who was a former rep, and a guy named
18 Phil Pavlov, Pavlov, and then --

19 Q. Dog breeder?

20 A. I don't think he's a dog breeder. It would've been cute
21 though.

22 Q. Bad joke.

23 A. It is a bad joke but I got it. And then myself. So there
24 were two guys in St. Clair and then myself.

25 Q. Okay. Did you make it out of that primary?

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1 A. No. No.

2 Q. Did you have a campaign manager for that one?

3 A. There was no campaign manager. I always had some help.

4 There was -- I, I think Josh Cline helped a little bit in
5 that one, if I remember correctly.

6 Q. When was the next time you ran for public office?

7 A. I was out for a couple years. I didn't do any political
8 stuff. And then I remember I got a call from a gentleman,
9 I think it was in the summer of, and I can't even
10 remember, but he asked me to run for -- and that might
11 have been '12, might have been '12 -- in the convention,
12 which would have been a party nomination, for State Board
13 of Education, which was in August, but I can't remember
14 the year. But it was very quick. It was a couple of
15 weeks and then the election happened.

16 Q. Did you get the Party's nomination for that?

17 A. I did.

18 Q. You did?

19 A. Yeah, I did. Yeah. Kinda took the convention by storm
20 that year, so it shocked everyone.

21 Q. So that convention was in August of '12?

22 A. It was in August. I don't know if it was '12 but I think
23 so.

24 Q. Okay.

25 A. Yeah.

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1 Q. So then that sent you into the general in November?

2 A. It did. And then Romney, Romney was the top of the
3 ticket, so he ended up losing, and of course if the top of
4 the ticket loses then, because at that time we were a
5 straight-ticket state --

6 Q. Yeah.

7 A. -- then I lost the, the bottom because we were down at the
8 bottom.

9 Q. Gotcha. And what was the next time you ran for office?

10 A. So kind of interestingly, that got done and then I ended
11 up -- long story short -- immediately ended up running for
12 State party chair, chairman of the Michigan Republican
13 Party, brought a challenge to the existing chair.

14 Q. Who was the existing chair at that time?

15 A. His name was Bobby Schostak. I don't think that's his
16 actual first name, but Bobby Schostak of Schostak
17 Brothers.

18 Q. The realty family?

19 A. Yeah. Yeah. It was found out that he had donated to
20 Hillary Clinton and John Kerry and a whole bunch of other
21 Democrats and so that was obviously offensive to the
22 people when he was supposedly putting forward Mitt Romney,
23 and so I lost that one by I think it was 42 votes.

24 Q. Who'd you lose to?

25 A. It was to him.

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1 Q. To him?

2 A. Yeah.

3 Q. So you think that was right after? That was maybe in 2012

4 or --

5 A. It was immediately after.

6 Q. Immediately after that?

7 A. Yeah. It was crazy.

8 Q. After the --

9 A. I wouldn't suggest that. Yeah.

10 Q. All right. And then your next effort was what?

11 A. There was all kinds of talk about me running at that point

12 for Lieutenant Governor, Attorney General, Supreme Court.

13 I mean there was all kinds of talk of that stuff because

14 obviously it could go through the convention and all of

15 those were convention seats.

16 I didn't run again until I ran in '14 for State

17 Representative. I filed to run on the last day to file,

18 which was I think in June before the election in August.

19 Q. For the primary in August?

20 A. Yeah. Yeah.

21 Q. So you ran for that same seat out of Lapeer?

22 A. Yep.

23 Q. 82nd District?

24 A. It was, yeah.

25 Q. And who was the incumbent at that time?

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1 A. It was an open seat. It was at that point Daley was done.

2 So --

3 Q. And how many were in that primary?

4 A. I honestly don't remember.

5 Q. Okay.

6 A. There was a lady in that. Her name was Jan Peabody. She
7 was kind of the establishment frontrunner. And I think
8 there was some other people in it but I honestly can't
9 remember.

10 Q. Okay. You made it out of the primary in August?

11 A. I did.

12 Q. '14?

13 A. Yeah.

14 Q. And then who did you go against in the general?

15 A. I don't remember. It was a lady from Imlay City. I can
16 see her but I can't remember her name. She was the
17 Democrat.

18 Q. Did you end up winning in the general?

19 A. Yes.

20 Q. And when were you sworn in as State Representative?

21 A. Well, swearing in happens in, I think it was the 23rd or
22 24th of January of that year. You're sworn in a couple of
23 times. You're sworn in by a judge locally and then you're
24 sworn in in the legislation in a ceremony.

25 Q. Okay. At the time you won that seat, you were still

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1 operating both your tax and law practices; right?

2 A. Yes. That's correct.

3 Q. And I take it you were planning on doing that as you were
4 also a State Representative?

5 A. Yeah. We're, we're technically a, a part-time
6 legislature. So the legislature only meets somewhere
7 between sixty and eighty days a year. They talk like
8 they're in legislation a lot, but technically I think it's
9 sixty to eighty days a year. The rest of the time you're
10 actually supposed to be in district.

11 Q. And what's the salary for being a State Representative?

12 A. I think it was 76,000. I think that's what it was. And
13 then you do get a stipend amount of I think 10,000 for
14 expenses.

15 Q. How long have you known Cindy Gamrat?

16 A. Since -- well, I knew of her, but I didn't know, I didn't
17 know her until I ran for State party chair.

18 Q. What was she -- what was her position at that time?

19 A. When you run for State party chair, there's a requirement
20 that the cochair be of the opposite sex. So, so I had to
21 have somebody run with me, to bring the challenge against
22 Bob Schostak, who was a lady, so she was willing to do
23 that.

24 Q. Okay. And how did you know her, though, before that point
25 or were you just kind of put together by the Party?

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1 A. Oh, no. The Party didn't want the challenge.

2 Q. Well, yeah.

3 A. Did a lot to try and stop it.

4 Q. Okay. So then how did you two get together to do that?

5 A. Well, I knew of her, so you start looking at who are the

6 possible people that would do it, but I never had a

7 conversation with her, and then it just kinda came down to

8 I asked her to be the -- if she was willing to do it and

9 she was willing.

10 There were several others that were not willing

11 to. When you're going against the Party in that way,

12 you're kinda going against the establishment. It kinda

13 cuts off your possibilities going forward.

14 Q. And how did you know of her, though, at that point?

15 A. She's a, she's a -- in the grassroots community for the

16 Tea Party, sorta the conservative liberty people. She's a

17 huge coordinator.

18 She had coordinated, also the cycle before that,

19 she had coordinated for Gary Cline and ran a volunteer

20 organization in every county in the state, to gather the

21 signatures so that he could run for office, and then he,

22 then he backed out at the last moment.

23 Q. Okay.

24 A. So I knew of her just from reputation.

25 Q. Gotcha. So you two were running as -- you were running

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1 for the Republican Party chair position and she was
2 running for cochair, and this was late 2012, early
3 2013-ish?

4 **A. I mean I could try to look it up on my phone to get the**
5 **right year, but --**

6 Q. No. You said it was right after the 2012 State Board
7 election?

8 **A. Yeah.**

9 Q. So roughly we're talking --

10 **A. Right in that area.**

11 Q. -- right in that area?

12 **A. Yeah.**

13 Q. Okay.

14 **A. It seems like it was '12.**

15 Q. Okay.

16 **A. It seems like it was '12. But the problem is you ran in**
17 **'12 but then it's actually in January.**

18 Q. Sure.

19 **A. So you're running but then it seemed like it was the end**
20 **of January, somewhere in February, that the actual**
21 **election happened.**

22 Q. Gotcha. She also ended up running for State
23 Representative in '14; correct?

24 **A. She did.**

25 Q. Had she held public office before then?

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1 A. She had not.

2 Q. So that was her first go-round, also?

3 A. Yes.

4 Q. Okay. So you knew, you knew her personally starting in
5 late '12, early 2013?

6 A. Yeah. Well, I wouldn't say personally, but we ran on the
7 same ticket. I really didn't know her personally at that
8 point.

9 Q. Okay. Did you stay in touch after that loss for State
10 party chair?

11 A. Yeah. I mean obviously, at that point, there was a lot
12 going on. I can't remember if that was the year -- it was
13 either right before that -- I think it was right before
14 that there was the Right to Work movement, so it was
15 pretty big in the -- which was a huge deal in the state
16 and people don't quite comprehend that.

17 So I had forgotten that part. Before the State
18 Board of Education race and during that time, during that
19 fall was the, the Right to Work movement. So there were
20 always issue -- you know, she was an issues activist and I
21 was an issues activist, so we knew of each other that way.

22 Q. Okay. Gotcha.

23 A. So I was all over the state at that point after I ran for
24 chair, speaking everywhere, and so was she.

25 Q. Okay. When you were both elected to the House of

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1 Representatives for your term beginning in January of
2 2015, there was apparently a decision made to have a
3 combined office in Lansing; is that correct?

4 **A. It wasn't a combined office; it was shared staff.**

5 Q. Okay. Shared staff?

6 **A. Yeah.**

7 Q. When was that decision made?

8 **A. It was decided in November. I think the -- it was first**
9 **proposed by the staff, actually. It was proposed by, I**
10 **think it was Keith Allard and Joshua Cline that proposed**
11 **that.**

12 Q. And what was the reason, rationale, for proposing that?

13 **A. They would be able to make more money and be paid more,**
14 **staff members aren't paid much, and we'd also be able to**
15 **save the taxpayers one person. So instead of four people**
16 **-- so you have two staff members for each office --**
17 **instead we'd have three that would operate handling the**
18 **issues between two offices.**

19 Q. But each of those three would receive salaries from both
20 or would they receive --

21 **A. No. They received increased salary because you had one**
22 **less person.**

23 Q. So essentially between the three of them, whatever that
24 fourth salary was, they were splitting that fourth salary
25 between the three of them?

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1 A. Not really. We actually cut it back. They got an
2 increase of maybe -- they did get an increase, which
3 brought them to kinda top of scale for people working in
4 the State House, and so that allowed us to save -- I don't
5 know, but it was quite a bit as far as office expenses.
6 One person, essentially.

7 Q. Okay. All right. So obviously no big secret -- you and
8 Ms. Gamrat were having an affair; correct?

9 A. We did, yes.

10 Q. Okay. When did that start?

11 A. It started as we, as we went into office. I can't
12 remember the date of that.

13 Q. So you're saying in 2015, early 2015?

14 A. Late '14, I think it was.

15 Q. Okay. Not before that?

16 A. Yeah. No. We spent a lot of time together, but --

17 Q. Well, when you say spent, when did you guys start spending
18 lot of time together?

19 A. Well, we saw each other going through -- well, I take that
20 back because during my election and her election, we
21 didn't see each other but we talked by phone a lot.

22 So during '14, that was -- she was running for
23 office from '13 on she ran for office, so we spoke to each
24 other a lot, got to know each other basically through the
25 phone.

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1 Q. Okay. And then started having -- when did you two start
2 having a physical relationship?

3 A. I don't remember the exact date of that.

4 Q. Was it in '15 or '14?

5 A. I think it was late '14.

6 Q. Her husband's name is Joe, Joseph?

7 A. Joseph, yeah, Joseph Gamrat.

8 Q. When did you first meet him?

9 A. At the, at the chairman's race.

10 Q. So this was back in late --

11 A. '14 -- or '12.

12 Q. -- late '12 or early '13?

13 A. Yeah. I think so, yeah, late '12 or early '13.

14 Q. Did you have any contact with him after that point and up
15 to the point that you won your seat in the House of
16 Representatives?

17 A. I, I, I don't, I don't remember. I don't remember how
18 much contact I would have had. He was working on her
19 campaign. They kinda had their own thing going on after
20 that because she was running for office, so there's
21 literally thousands of doors to knock and a staff to do,
22 you know, to take care of and work through those details,
23 and he was very involved in that.

24 Q. Okay. So if anyone suggested that you and Ms. Gamrat's
25 relationship, physical relationship, began in let's say

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1 the summer of 2014, that just wouldn't be true?

2 **A. We had a relationship but I don't, I don't think it was**
3 **physical at that point.**

4 Q. Okay.

5 **A. Yeah.**

6 Q. All right.

7 **A. Yeah. I think there was -- I don't know when it started,**
8 **the actual physical relationship.**

9 Q. I mean you're aware, I take it, during the course of all
10 the legal wranglings that have surrounded your tenure with
11 the House of Representative, you've seen various reports
12 from the Michigan State, or a Police Report from the
13 extortion complaint you made, the House of Representatives
14 report, and countless other pages of documents; right?

15 **A. Tons of it. Yeah.**

16 Q. Yeah. There's thousands of pages of documents on this
17 thing.

18 **A. Yeah.**

19 Q. There's some indication -- and, frankly, it's either in
20 probably the State Police Report or the House report --
21 that Mr. Gamrat claimed to have audio recordings of you
22 and Cindy being physical with each other back in the
23 summer of 2014.

24 Is that a possibility?

25 **A. I don't remember that even being said in the House report**

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1 or the State Police Report.

2 Q. Okay. You'd deny it if that's the case?

3 A. Well, I'd have to know what the statement was.

4 Q. Okay.

5 A. Yeah. And I'd have to know when he's trying to say that.

6 Like I said, that was during a time when I had -- she had

7 a campaign and I had a campaign, so like I said, I don't

8 remember when it started.

9 Q. Okay.

10 A. That's been going on six years ago. So --

11 Q. So I understand you guys shared staff.

12 Did you physically share office space, though?

13 A. No. She was in one tower and I was in a different tower.

14 Q. So how, logistically, did that work when you guys were

15 sharing employees?

16 I mean did they -- were they stationed in one

17 office versus the other?

18 A. Well, they were supposed to be there every day.

19 Q. Right.

20 A. We were there, like I said, just the days when the, the --

21 so, so let's say there's seventy days that we're there.

22 They're there every day. So you've got staff that handles

23 one office and staff that handles another office. And

24 what was happening is you had two staff members who had no

25 experience and one staff member that had supposedly a lot

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1 of experience.

2 Q. All right. And --

3 A. And he had basically one front person, one front person
4 each, and he was supposed to be able to manage that --

5 Q. The three --

6 A. -- but really what was happening was they weren't coming
7 to work.

8 Q. The three staff members were?

9 A. Well, there were multiple part-timers that filled in
10 hours.

11 Q. Your three main -- there were three main staff members.

12 Who were they?

13 A. Keith Allard, Benjamin Graham, and Joshua Cline.

14 Q. So you mentioned that two of those three really had no
15 experience in doing this; correct?

16 A. Very little, yeah.

17 Q. So would that be Ben Graham and Joseph Cline?

18 A. Yeah. Joshua Cline.

19 Q. Joshua Cline. I'm sorry.

20 A. Yeah.

21 Q. Keith Allard was the one that did have some experience?

22 A. Yeah. He supposedly did. He worked for, he worked for
23 Justin Amash for a short time and he worked in the
24 Granholm offices before that.

25 Q. Okay. And how is it that he came to your attention so

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1 that you hired him?

2 A. He was a plant.

3 Q. He was a plant?

4 A. Yeah. He was a plant.

5 Q. By who?

6 A. Essentially he was there to try and project whatever
7 information he could regarding us.

8 Q. What do you, what do you mean project?

9 A. Well, you can see the way that he was using fake Facebook
10 profiles and sending out information related to us,
11 Twitter accounts, that sort of thing, passing along -- we
12 have his text messages, the one text message talking
13 about, you know, they had sex just now. And they say how
14 do you know that? The bug. So they're aware of the
15 activities at, I guess it's your hotel, from the plant,
16 the wiretapping. That was Keith Allard, Keith Allard's
17 texts.

18 We have, we have Joe Gamrat's texts talking
19 about -- they have recordings of that at the hotel. They
20 were working together from the very beginning.

21 Q. Let's, let's step back for a second.

22 Keith Allard worked for who immediately before
23 working for your office?

24 A. He worked -- he ran for office himself.

25 Q. Okay. In the '14 cycle or before that?

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1 A. I think so. I think it was the '14 cycle and he lost.

2 Q. Okay. So what was he doing, though, at the time he ran?

3 What was his job at the time he ran?

4 A. I don't think he worked. I think he, I think he -- before

5 that, before he started running for office, he worked for

6 Justin Amash --

7 Q. Okay.

8 A. -- out of his Republican office I think in Grand Rapids,

9 if there's one there. I would guess it's there.

10 Q. And, at the time, was Justin Amash a State Representative

11 or State Senator?

12 A. He was a Congressman at that point.

13 Q. He was a Congressman at that point?

14 A. Yeah. I think they let him go. That probably should've

15 been a clue.

16 Q. Justin let him go?

17 A. I think so.

18 Q. Okay. So then Keith ran for office in the '14 cycle,

19 didn't win, and you ended up hiring him to work in your

20 office?

21 A. He was begging to work in our office. Yes.

22 Q. So he --

23 A. I did not know him otherwise.

24 Q. Okay. So he --

25 A. Cindy did not either, that I'm aware of.

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1 Q. Okay. So he -- tell me how that happened.

2 Did he affirmatively contact you after --

3 **A. He contacted her.**

4 MR. DePERNO: Hold on. Let's -- before you jump

5 in -- make sure you let him fully ask his question.

6 You're --

7 **THE WITNESS: Sorry, Matt. I'm --**

8 MR. DePERNO: -- kinda talking --

9 **THE WITNESS: -- talking over him. I'm --**

10 MR. DePERNO: -- over him --

11 **THE WITNESS: -- trying to get through. Okay.**

12 **All right. Go ahead.**

13 MR. DePERNO: -- and you're sorta anticipating

14 what he's saying.

15 **THE WITNESS: All right. Go ahead.**

16 MR. DePERNO: Just slow down and let him ask the

17 question.

18 **THE WITNESS: I'm trying to fill in the blanks**

19 **because --**

20 MR. KOSTELLO: Yeah. We're having a very

21 conversant sort of --

22 **THE WITNESS: Yeah.**

23 MR. KOSTELLO: -- back and forth --

24 **THE WITNESS: Yeah.**

25 MR. KOSTELLO: -- here, so --

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1 COURT REPORTER: You're doing it now, though,
2 while they're telling you not to.

3 **THE WITNESS: Does that cause you some trouble?**

4 COURT REPORTER: You've got to stop. It does
5 cause a lot of trouble.

6 BY MR. KOSTELLO:

7 Q. So just walk me through. You said that he contacted -- he
8 reached out to Cindy.

9 Is that how it happened that he came into your
10 world?

11 A. Okay. Are you done?

12 Q. Yeah.

13 A. All right. I think that was as she was running in the
14 general election in '14, I think he reached out to her,
15 attempting to get in her office. It's a pretty common
16 practice to try and get someone inside a -- when, when a
17 political party knows they're gonna have trouble with
18 someone, they try to get someone in their office to be
19 able to report back.

20 Q. So I take it was Mr. Allard from the west side of the
21 state, also?

22 A. He was.

23 Q. Okay. So he reached out to Cindy during the '14 general
24 and expressed some interest in working for her in the
25 event that she won?

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1 A. Yeah.

2 Q. And from what I'm understanding from you, you believe that
3 it was the Republican Party that had kinda pushed him to
4 do that?

5 A. No. There's, there's always -- you know, the, the way
6 that politics works, I mean there's people in the
7 background and a position like that is powerful because
8 essentially you have inside information and, you know,
9 Allard, you know, obviously he was very good at using that
10 information.

11 Q. Well, you said before that he was a plant.

12 I guess what I'm getting at is who planted him
13 in your office?

14 A. Well, inside of that, what happens inside the Republican
15 Party, the establishment did not want either one of us to
16 win, and so, so Keith Allard was an establishment plant.
17 Who he worked for, I have no idea.

18 I know who he was connected with. He was
19 connected Truscott. He was connected with Chad Livengood.
20 He was connected with a whole host of people that created
21 the situation. Some people at your, sounds like some of
22 your people at your, your hotel. So, you know, obviously
23 he had lots of friends on both sides of the aisle because
24 he worked in the Granholm administration as well.

25 Q. By Truscott, you mean who?

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1 **A. John Truscott.**

2 Q. And John Truscott is who?

3 **A. He's a big, I guess you'd say a lobbyist or a -- a**
4 **lobbyist in Lansing.**

5 Q. Okay. And you mentioned Chad Livengood.

6 Mr. Livengood's actually a reporter for the
7 Detroit News; right?

8 **A. He was; he's not.**

9 Q. Yeah. He was at that time; right?

10 **A. Yeah, he was.**

11 Q. Okay. And so --

12 **A. I think he works for Cranes now.**

13 MR. DePERNO: You guys are talking over each
14 other again. You've got to let him ask his questions.
15 You've got to stop. You're not having a casual
16 conversation.

17 **THE WITNESS: Okay.**

18 MR. DePERNO: Let him ask his questions and then
19 you answer.

20 BY MR. KOSTELLO:

21 Q. And just so I'm clear on this, is it you believe that
22 Mr. Allard was communicating with Mr. Livengood and
23 Mr. Truscott, or that it was Mr. Truscott and
24 Mr. Livengood that pushed him to seek the position in your
25 office, or both?

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1 A. I only have texts.

2 Q. Okay.

3 A. So the texts show conversation back and forth between
4 those people.

5 Q. Okay. That they conversed with each other?

6 A. I don't know if they conversed with each other. I just
7 have the texts that show that they texted each other.

8 Q. Conversed by way of text message?

9 A. I would say so.

10 Q. Okay. Did you know Benjamin Graham at all before he took
11 a position in your office?

12 A. Yes.

13 Q. How did you know Benjamin Graham?

14 A. I knew his mom and dad.

15 Q. What are their names?

16 A. Oh, my goodness. It's been years now. Alen Graham and
17 Cheryl Graham.

18 Q. Lapeer residents?

19 A. I don't know.

20 Q. How did you know them?

21 A. I filed a bankruptcy for them. I don't know if -- I think
22 I knew them before that. I, I don't know. I think it was
23 just the same community.

24 Q. Okay. And how is it that Ben Graham came to work in your
25 office?

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1 A. He was in high school and then obviously worked on a
2 couple of those different campaigns sporadically and then
3 worked out of my office, running a consulting, they called
4 it consulting company.

5 Q. Is that Bellwether?

6 A. Bellwether Strategies.

7 Q. You say they. Do you mean him and Joshua Cline?

8 A. Joshua Cline. Yes.

9 Q. Okay. Did Ben Graham go to college?

10 A. I, I believe he did.

11 Q. Did he graduate?

12 A. I don't know.

13 Q. Do you know where he went to college?

14 A. Cedarville, if I remember correctly.

15 Q. So did you approach him about the position in your office
16 or did he approach you?

17 A. He was fired from Subway --

18 Q. Okay.

19 A. -- and he needed work and he didn't have any experience,
20 very little, but he liked politics, so I let him work out
21 of my office.

22 Q. Any idea why he was fired from Subway?

23 A. I have no idea.

24 Q. Okay. Was that important to you at all?

25 It seems kind of --

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1 A. Well, he -- that was -- he didn't have any work and
2 couldn't hold that job down, so it should've been a clue.

3 Q. Yeah. That's what I guess I was getting at. You know,
4 hindsight's always 20/20; right?

5 So you've got a guy that is -- he was what; in
6 his early twenties at that point or mid twenties,
7 twenty-five, twenty-four --

8 A. I don't know. Yeah.

9 Q. -- who you knew got fired from a fast-food job?

10 A. Yep.

11 Q. Then you offer him a job in your office in Lansing?

12 A. No. No. He worked out of my office in Lapeer, running
13 their little shop. They tried to put something together
14 called Bellwether Strategies.

15 Q. Okay. So that was first.

16 When did, when did Bellwether start occupying
17 space in your office?

18 A. I don't know when they actually filed for a d/b/a or
19 Articles of Organization. I'm not sure. They worked out
20 of the office, but I'm not sure when their actual name
21 came into being.

22 Q. But this was sometime before you ran in the '14 election?

23 A. Yes.

24 Q. Was it -- any idea how long before; a year, two years?

25 A. I would say on and off for two years.

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1 Q. Okay. Did they work on your 2012 State Board of Education
2 election?

3 A. No, not that I remember that they were big pieces of that,
4 that I can remember. I think, I think Cline was, Joshua
5 Cline I think was working in that cycle on the Hoekstra
6 campaign, and I think Ben was at that point, I think he
7 was doing some stuff out of my office, but I can't
8 remember.

9 Q. Were you, were you charging them rent for the space in
10 your office?

11 A. No.

12 Q. So you were just letting them use an extra space that you
13 had, I take it?

14 A. No. He did, Ben did data stuff, so it was helpful to have
15 somebody as far as a computer person, and that's where he
16 was kinda putting his time and energy, doing his, you
17 know, his work. And so it was helpful to have somebody
18 who could deal with those pieces, pieces of information
19 and handle all that stuff.

20 Q. Sure. Was he on the payroll of either your tax business
21 or --

22 A. He was.

23 Q. -- your law practice?

24 A. Yeah. I think it was the accounting practice.

25 MR. DePERNO: You've got to wait till he's

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1 finished.

2 **THE WITNESS: Okay.**

3 BY MR. KOSTELLO:

4 Q. And how long was he on your payroll for your law practice?

5 **A. I don't remember.**

6 Q. A year? Two years?

7 **A. Probably.**

8 Q. Okay. Do you remember what you were paying him?

9 **A. Maybe ten dollars an hour.**

10 Q. Okay. Gotcha. So he was kinda doing computer stuff, data
11 stuff, as needed, on an as-needed basis for you?

12 **A. Yes.**

13 Q. Yeah. Okay. So then you knew him for what, a year or two
14 before you ultimately ended up hiring him to be part of
15 your staff in Lansing?

16 Well, you knew him for a while because you knew
17 his parents; right?

18 **A. I knew him when he was in high school.**

19 Q. High school. Okay.

20 You knew him kind of professionally for a year
21 or two before you ended up hiring him?

22 **A. I was at his open house, I think, when he graduated from**
23 **high school, I was at his wedding, and I filed a**
24 **bankruptcy for his mom and dad. So I mean there was a**
25 **enough connections. Yeah.**

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1 Q. Okay. Other than his, his Bellwether Strategies company
2 that him and Josh/Joshua Cline started, did he have any
3 other relevant experience to work in your office, that you
4 were aware of?

5 A. He worked a lot of campaigns. I'm not sure how many he
6 worked. He was kinda -- that group of people, it's a
7 political class, so they -- they're kinda hired guns and
8 they work for, many times, opposing candidates on the same
9 race, so be involved in sharing information with different
10 people running in the same race who were operating other
11 campaigns. And he did that both volunteer and also to
12 make money.

13 Q. How did you know Joshua Cline?

14 A. I knew his mom and dad back to probably -- Ron -- and I
15 can't remember his mom's name -- probably '99, maybe 2000.
16 They live in Iowa now.

17 Q. The mom and dad do?

18 A. Yes.

19 Q. You mentioned Ron was the dad's name?

20 A. Yeah.

21 Q. Mom's name?

22 A. I can't remember. She has a lot of health issues.

23 Q. And any idea how you knew them?

24 Do you have any recollection of why it is you
25 knew them?

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1 A. Well, they were, they were tax clients. I don't know if I
2 had a relationship with them outside of that before that.

3 Q. Okay. Were Ben and Joshua around the same vintage, same
4 age?

5 A. I think so.

6 Q. Okay. Was Joshua Cline ever on the payroll of your tax
7 business or law practice?

8 A. Yeah. He did some hours. He, he was kind of a graphics
9 guy, so he made flyers and then he would, you know, he'd
10 work eight, ten, twelve hours, something like that, and
11 then you wouldn't see him for a while and then he'd do
12 another little project.

13 Q. Okay.

14 A. He worked also -- I think he did work at Ford Motor
15 Company for a time. He was studying for his nursing
16 degree and license. I don't know if that ever happened or
17 if it was even true. That's what he claimed anyway. And
18 he worked for a time at Starbucks, if I remember
19 correctly.

20 Q. Okay. So was it you that reached out to Ben and Joshua
21 about coming to work in your office in Lansing?

22 A. Well, they worked pretty heavily on the actual primary
23 campaign.

24 Q. We're talking the '14?

25 A. Yeah.

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1 Q. Yeah.

2 A. And then on the general campaign as well. And I paid them
3 through Bellwether Strategies.

4 Q. Yeah. You anticipated my next question.

5 Any idea what you paid them total for their work
6 on your '14 campaign?

7 A. I don't remember, but it was a lot.

8 Q. Okay. And so was it kind of just an understood sort of
9 thing, that if you ended up winning that seat in the
10 general, that they would come and work with you in
11 Lansing?

12 A. They wanted to do it. I didn't think either one of them
13 were equipped to do it. And I should've -- I give people
14 opportunities that I, that I probably shouldn't have done,
15 and neither one were really able to handle that.

16 Q. Okay. So, nonetheless, you offered them the positions.

17 Did they have to be vetted by Cindy, first,
18 before they were formally hired or --

19 A. They -- one of them worked -- I think, I think one or both
20 of them were on my payroll and I think, I think Allard was
21 on her payroll I think is how that worked. There was
22 misgivings about having them come on board from November
23 on. Immediately there was problems.

24 Q. Misgivings by yourself?

25 A. Both myself and Cindy.

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1 Q. Okay. So even before you got to Lansing in January, you
2 were having some concerns about hiring them?

3 A. Yeah.

4 Q. And how did those -- what were the concerns?

5 A. Well, they wouldn't show up for work. Ben wouldn't bathe.
6 He didn't brush his teeth, you know. He was sleeping at
7 the office. In my office, I came in one time, and he's
8 kinda going through my personal stuff.

9 Q. Well, and I hate to interrupt you, but was that your
10 office in Lansing or your office in Lapeer?

11 A. Well, first it was the office in Lapeer.

12 Q. Okay.

13 A. And so there was just -- he, he -- they weren't
14 professional. They were two guys that were in the
15 positions that they were in. They weren't administrators.

16 Working in an office in Lansing is really a
17 customer service job where you get -- in a normal office,
18 you'll get dozens of calls a day. With her and I being
19 kinda lightning rods when we came into Lansing at that
20 moment, it wasn't unusual to have a couple hundred calls a
21 day that had to be fielded and taken care of, you know.
22 There was -- from all over the country, literally, we had
23 calls that had to be fielded from across the country.

24 Q. And I take it that's in addition to emails you were
25 probably getting, also, that needed to be responded to?

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1 A. Yeah. And so they didn't really have the mind for it and
2 they weren't going to work. There's text messages that
3 show that they were playing hooky and covering for each
4 other and really not taking care of any of the actual
5 administration.

6 Q. And that stuff you discovered after you got to Lansing in
7 January; correct?

8 A. Correct. Yeah.

9 Q. And I guess I want to go back to maybe some of the
10 misgivings you had in November and ask the question of if
11 you were noticing those sort of things back in November,
12 why is it that you brought them to Lansing in January?

13 A. Well, because they were people that you trusted and you
14 knew their familiars for going on twenty years and, you
15 know, I try and give people opportunities to do stuff and
16 see if they can -- you know, they either rise to the
17 occasion or they don't, but in their case, neither one of
18 them were suited to it and they just weren't --

19 Q. Once you got to Lansing, were they -- where were they
20 physically located?

21 Was one in your office; one in Cindy's physical
22 office? How did that work?

23 A. That became a problem immediately. The three of them
24 liked to spend time together, so they locked the doors
25 when we weren't there and turned the lights off and all

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1 hung out in one office, either hers or mine.

2 Q. Were they supposed to be, though, separated?

3 A. They were, yeah.

4 Q. And the plan was to have who physically stationed where?

5 A. That there would be Graham, Benjamin Graham, in one

6 office, I believe in mine at the front desk, and Joshua

7 Cline in her office at the front desk, and then Keith

8 Allard would administer the two of them.

9 Q. So he'd kinda go back and forth between the two offices
10 and watch over both of them?

11 A. Supposedly.

12 Q. And what was, what was Ben and Joshua's official titles?

13 A. I think they were administrative assistants.

14 Q. I think I may have seen somewhere, in them signing emails,
15 where they were calling themselves legislative aides.

16 Does that sound about right or is that
17 overstating what they actually were?

18 A. I think that's probably right.

19 Q. Yeah. Okay. I take it at some point you started having
20 some concerns or misgivings about Mr. Allard and his work;
21 is that fair?

22 A. Yeah, immediately.

23 Q. Okay. Describe that to me.

24 A. Well, when he came on board, to come on board, he, you
25 know, he produced kind of a job description for himself,

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1 the things he was gonna take care of that he was gonna be
2 able to do this and had this experience and was able to
3 administer these things in a series of back and forth in
4 emails and also some meetings, and really he just, he
5 didn't do anything. And I think he was maybe there three
6 days a week.

7 Q. What was his official title?

8 A. I think technically he was also just a legislative aide.
9 They liked to give themselves titles, you know, and so he
10 was called the Chief of Staff.

11 Q. Okay.

12 A. But I don't think the House of Representatives technically
13 calls them that.

14 Q. Did he make more than Ben and Joshua did?

15 A. He did.

16 Q. Okay.

17 A. I think that he made, I wanna say 60,000 a year. And I
18 think the other two made around 35 or 40,000 a year.

19 Q. Yeah. I think I saw some numbers somewhere.

20 It's like 35 or 37? Does that sound about right
21 for those two, Ben and Josh?

22 A. That's probably about right.

23 Q. Okay. So the document he created with his, his job
24 responsibilities, what sort of things were around that?

25 I mean what was he to be doing?

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1 A. Well, you know, obviously responding to every phone call
2 that came in, making sure the constituents were happy,
3 managing the calendars, making sure that we were at the
4 events where you needed to be, and if we weren't there,
5 that they were covering those events. So there was some
6 duty, back in those districts themselves, for every
7 township meeting and gun owners' meeting and, you know,
8 the Farm Bureau meeting, all of those things needed to be
9 covered by the State Representative. You couldn't make
10 every meeting but you really needed to have them on a
11 calendar to be able to handle that, writing and drafting
12 letters.

13 And then also the big thing was kind of the
14 scoring of legislation that was coming up for first,
15 second or third reading for the week, which means the
16 legislation was going to come up possibly for a vote. And
17 so whether or not we would be voting for it or against it,
18 you needed help to read through that and sort of score it,
19 because it changed in the hours right before, before it
20 came to the floor for a vote.

21 And during the days when I was there, I would be
22 there three days normally during the week, but the
23 committee meetings were primarily on two days. So I had
24 five committees that heard testimony continuously. And so
25 you didn't have time to be able to kinda bring that stuff

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1 forward, to comprehend what changes had happened over the
2 weekend, because obviously they didn't give it to you
3 until the last minute. So his job was to assist with
4 that, to make sure that we were voting in line with what
5 our promises were to the voters.

6 Q. So the job for Keith, Ben and Joshua was a full-time job;
7 correct?

8 A. Yes.

9 Q. Full-time in Lansing?

10 A. It was supposed to be, but it was supposed to be both in
11 Lansing and in district.

12 Q. Okay. They were expected to -- and by full-time, I mean
13 they were expected to work Mondays through Fridays,
14 sometimes on the weekends, if necessary?

15 A. Yes.

16 Q. Okay. And I think you just mentioned that you were in
17 Lansing about three days a week?

18 A. Not every week, but yes, three days a week.

19 Q. Yeah. That was my next question.

20 So how many, how many weeks out of the year
21 would, would that be the case when the House was meeting?

22 A. Well, they'd only meet between seventy, between sixty and
23 eighty days. So most of the summers, you know, they would
24 go there or somebody would gavel in and gavel out but
25 nobody was there. They called that a day, a meeting, even

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1 though no one was there. That counted into their
2 seventy-something days.

3 So, so we were only there those days, primarily,
4 unless there was some other reason to be in Lansing.

5 Q. Okay. But the times you were there, it would be for --
6 you would go for three consecutive days and then you might
7 not go back the next week or the next week after that but
8 then you'd go back and be there for three consecutive
9 days; is that fair?

10 A. No.

11 Q. Okay. Explain to me how that worked then.

12 A. Yeah. Some weeks, it was like that. I think I understand
13 what you're saying or asking. But when you got there, you
14 also had stuff back in district that would happen in the
15 evenings. So you would do a day, a Tuesday, Wednesday
16 Thursday, you would go there on Tuesday morning, and
17 Tuesday evening you may have a meeting back in your
18 district, in the evening, and you would drive back to your
19 district, do the meeting, then come back, and maybe you
20 would stay the night back in district, depending on how
21 the meeting went, or you would come back to district
22 because you had to be back in your chair as a
23 representative at whatever time in the morning.

24 Q. Okay. So it was fair to say it was a bit fluid as to how
25 that worked on a, on a week-to-week basis?

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1 A. Yes.

2 Q. If you had a meeting that ran like super late, you know,
3 11:30 or whatever, you'd probably just go home and spend
4 the night and then wake up early and drive to Lansing the
5 next day?

6 A. Yes.

7 Q. If you were done with the meeting early, you know, 8:00 or
8 whatever, you might drive back to Lansing, stay the night
9 there so you're there in the morning to be in your seat
10 the next morning?

11 A. I think that's fair.

12 Q. Okay. And it just depended on how your schedule was;
13 correct?

14 A. And if your staff was willing to take care of the meeting
15 back in district, given the fact that they were supposed
16 to be there anyway.

17 Q. Okay. And I take it, it sounds to me like they didn't do
18 that on any --

19 A. That is correct.

20 Q. Yeah. So, and, and your issues with your staff, with
21 Keith, Joshua and Ben, started almost immediately; is that
22 fair?

23 A. That is correct.

24 Q. Okay. So was that a point of --

25 A. If I can stop you there.

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1 Q. Yep.

2 A. That email stated they would do forty hours a week and
3 then they would take care of outside issues. Normally
4 inside of the legislature, the staff takes care of the
5 official government responsibilities. That's what they're
6 being paid for. But the staff is also, at the same
7 moment, taking care of the political responsibilities for
8 the Representative. And technically you're not supposed
9 to have those things meshed together, but everything is
10 meshed between government and political, especially in the
11 legislature. So a meeting would be both official, when
12 you went back to district, and it would be political.

13 Q. Sure. So you and, I take it, Cindy shared your concerns
14 with the way the staff was going immediately?

15 A. Yeah. She had more concerns. I had more, I had more
16 relationship with the other two. She had no relationship
17 really with them. And her judgment was that they should
18 have been let go before they were ever let into Lansing.

19 Q. So when, when did the conversations between you two start
20 about, hey, we need to replace these guys?

21 A. Before we got to Lansing. Yeah.

22 Q. Okay.

23 A. I would say in November and December and January.

24 Q. Okay. So you started having these conversations in
25 November and December before you got to Lansing yet you

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1 still brought them to Lansing and then once they got to
2 Lansing, there were immediate concerns about their job
3 performance; fair?

4 **A. Yes.**

5 Q. Okay. So then, despite that, they were kept on into
6 February, March, and then we can say April, right, at
7 which time you lost one of them; right?

8 **A. Yes. We became, we became aware and I don't know when**
9 **that --**

10 MR. DePERNO: Can we take a break at some point?

11 MR. KOSTELLO: Yeah. Can we just get an answer
12 to this one and then --

13 MR. DePERNO: No problem.

14 MR. KOSTELLO: -- probably a good breaking point?

15 **A. Tell me your question again. I'm sorry.**

16 BY MR. KOSTELLO:

17 Q. Yeah. So despite these concerns you had with the staff,
18 they were kept on in January, February March and into
19 April, and in April you lost one of the staff members;
20 correct?

21 **A. I think it was in April. The issues with that is, is**
22 **obviously you had friendships between -- I had friendships**
23 **with two of them and their families, and so you tried to**
24 **work out the details but you weren't there to see their**
25 **job performance.**

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1 So when all three of them are kinda working
2 together, I'm not really in Lansing enough, and when I am,
3 I'm not in the office. I would actually be in the
4 physical office maybe an hour out of the day out of the
5 three days that I was there, so you might be in the actual
6 physical office three hours in the week, maybe five or six
7 in total for three days. So you really didn't know that
8 calls weren't being handled, that things weren't being
9 done, because they were able to sorta cover for each
10 other.

11 And when you did find out -- there were a few
12 days where I stopped in there because I had meetings on
13 the other side of the state and -- now, we didn't
14 technically end up in Lansing until the end of January
15 because that's when we were sworn in, so you didn't really
16 have -- you had a few weeks of that and then you realized
17 they weren't even showing up.

18 Q. Last question before we take a little break here.

19 Who was it that quit in April of '15?

20 A. Joshua Cline.

21 MR. KOSTELLO: Okay. We can pick up from there.

22 Go off the record.

23 (At 11:28 to 11:38 a.m. recess taken.)

24 MR. KOSTELLO: Back on the record.

25 BY MR. KOSTELLO:

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1 Q. So we ended up there, after going on a short little break,
2 with Joshua Cline quitting in April of 2015.

3 Do you remember that? That was the last
4 question I asked you; right?

5 A. Yes.

6 Q. And we confirmed he quit his job in April of 2015.

7 Why is it that he quit?

8 A. Well, he didn't -- they didn't work for me. Once they --
9 at January 1 -- and I guess you don't know this because
10 you're not in Lansing -- on January 1 they became
11 government employees, so they didn't work for me; they
12 worked for the Speaker of the House.

13 Q. Okay. So he quit his position, though?

14 A. So the Speaker of the House is the only one that can hire
15 and the only one that can fire individuals. I can make
16 recommendations of who we'd like, but their actual
17 employment is through the Speaker of the House. Once they
18 were employed in January, the problems became pretty
19 obvious for Allard, Graham and Cline.

20 So, there were pornographic pictures left for
21 the part-time, female staffers, of testicles, genitalia,
22 pictures on computers, government computers. We went to
23 the Business Office and said, hey, look, these guys are --
24 you know, they're not handling the work and there's some
25 very serious issues.

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1 Q. And I don't mean to interrupt you, but when was it that
2 you went to the Business Office to voice your concern
3 about them?

4 A. So I didn't start actually going to Lansing until I think
5 it was the third or fourth week of January, so it was
6 after that. It might've been February. It might've been
7 March.

8 Q. Okay.

9 A. But immediately there were issues with the three of them.
10 And later it was confirmed -- I don't know who drew the
11 pictures -- but they were of, you know, penises and
12 testicles and left for the lady staffers on desks.

13 And one of them, Graham, we found out later, was
14 actually a porn addict, who was very involved in lots and
15 lots of video porn, by his own testimony and by his own
16 emails.

17 And then Cline was actually involved in a gay
18 dating site, a pay-for-sex dating site, and that exploded.
19 I didn't know anything about this. And then we found that
20 out later.

21 So I didn't know who was doing the pictures or
22 who was doing the videos, of the three of them, but it
23 turned out that they were all involved in it.

24 Q. All right. Let me --

25 A. And their text messages show that.

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1 Q. All right. Here's, here's my -- and I get your desire to
2 get things on the record here, but I think the specific
3 question that I had right there was why is it that Joshua
4 Cline resigned his position in April of 2015?

5 A. I don't know the specific reason, other than the fact that
6 they heard the tape of us discussing -- they were -- there
7 was a wiretapping situation and there was a conversation
8 about letting him go because of what had happened with --
9 her name was Ann.

10 Q. Is this Ann Hill?

11 A. I think it was a situation with Ann Hill. But I may be --
12 yeah, Ann Hill. But I don't know if Ann Hill was -- no,
13 Ann Hill was later. I think Ann Hill was with just Allard
14 and Graham, in June. I know what he told me and I know
15 what he gave me as far as a letter, but I also know later,
16 when it call came out, that he, of course, claimed some
17 other things.

18 Q. Well, I've seen the email or the letter that he wrote
19 about why he quit and I guess I was wondering what he
20 voiced to you at that time as to the reason he was
21 leaving.

22 A. He voiced the same, the same issues. I can't remember the
23 exact conversation because it was kind of a shock. What
24 we found out later is that he was actually reading my
25 emails. They were reading my emails and had been in my

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1 emails right before that.

2 Q. And who's they?

3 A. Allard, Graham and Cline and Joe Gamrat. And I don't know
4 who else. I think David Horr, those emails went to as
5 well.

6 Q. Okay. And they were reading your emails from which email
7 address?

8 A. My personal emails and my personal archive.

9 Q. Okay. Well, I think if I, if I have got this correct, you
10 had three separate email addresses that you used.

11 There was a toddcourser72@gmail.com, something
12 along those lines?

13 A. I don't think that was mine. I think that was Graham's.
14 I don't know. I actually don't know about what went into
15 that box or what didn't go into that box.

16 Q. So you -- the toddcourser72@gmail.com was not an email
17 address that you used?

18 A. Graham set up all the emails to be able to sort the
19 information. The one that I used primarily, let me just
20 tell ya, I used todd@toddcourser.com and I used a second
21 one as far as a gmail account, courserlaw@gmail.com. I
22 don't remember what specifically the courser72 email was
23 for or why it was set up or what information went into it
24 or came out of it.

25 Q. That was not an email address that you had in existence

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1 before you got to Lansing in January of 2015?

2 A. I can't, I can't say that I have -- I don't know if -- it
3 would've been someone else setting that up. I think it
4 might've been Ben Graham, but I'm not sure.

5 Q. Okay. And so you think Ben Graham set up that email
6 address; you just don't know the reason why?

7 A. I, I don't.

8 Q. And the todd@toddcourser.com email address, was that the
9 one you used for your law office or did you -- was that
10 one you used for political purposes?

11 A. That's my personal one. There was
12 lawoffice@toddcourser.com that I used for the law office.

13 Q. Well, you just mentioned courserlaw@gmail.com.

14 A. That's, that's the one I used that aggregates them all,
15 brings everything into one bucket.

16 Q. The toddcourser.com server, where does that exist?

17 A. I think it's a GoDaddy account, but I could be wrong.

18 Q. Does that still exist?

19 A. Yes. I don't access it. It dumps into the Courser Law
20 Group is where I see everything, so it kinda routes
21 through that server to Courser Law.

22 Q. So when you, in the course of your legal work now, which
23 one do you primarily use if you're gonna be emailing with
24 a client or opposing counsel or something like that?

25 A. Courserlaw@gmail.

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1 Q. @gmail.com. And how long has that been in existence for?

2 A. I wanna say -- I really don't know. Eight or ten years.

3 Q. Was there also, was there also an email account that you
4 had through the State of Michigan?

5 A. I'm sure there were multiple email accounts through the
6 State of Michigan.

7 Q. You just can't tell me that they were?

8 A. I cannot.

9 Q. What were those used for?

10 A. For -- well -- for people that had issues that there was
11 State business.

12 Q. Were those used for constituents?

13 A. Yes. That's what I mean by State business.

14 Q. Yeah.

15 A. But those were handled by the staff. I actually didn't
16 have those routed to my phone at all, or my, my Inbox. I
17 don't know that I ever accessed those email accounts.

18 Q. So now when you were saying before, when we were talking
19 about Mr. Allard, Mr. Graham and Mr. Cline accessing your
20 emails and reading your emails, what account were they
21 accessing?

22 A. Toddcourserandcompany or -- I'm sorry --
23 todd@toddcourser.com.

24 Q. So that was, okay, todd@toddcourser.com?

25 A. Yes.

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1 Q. So that was, again, the email address that, through your
2 GoDaddy account, that fed into your courserlaw@gmail.com?

3 **A. That's my personal account. Yeah.**

4 Q. And so again, I'm sorry, but who exactly was or would be
5 using that -- who would be emailing you at that account?

6 Was it used for business purposes? Was it used
7 primarily for personal purposes?

8 **A. I mean I would say it's both.**

9 Q. Both?

10 **A. Yeah. I mean if it's opposing counsel, I used the**
11 **courserlaw@gmail.com. I think that's the one you**
12 **(pointing) emailed me at as well.**

13 Q. So when is it that you discovered that they were accessing
14 the todd@toddcourser.com email account?

15 **A. I actually don't -- I'm not exactly sure when I discovered**
16 **it was them, so I guess I have to kinda clarify your**
17 **question. I knew someone was accessing it.**

18 Q. How did you know someone was accessing it?

19 **A. Because I received the extortion text messages that said it.**

20 Q. Okay. All right.

21 **A. That was I wanna say right around May 12th, May 15th?**

22 Q. May 12 or May 15 was the first text message you received?

23 **A. I think it was in that, right in that week somewhere.**

24 Q. Okay. So I don't know if you remember this or not, but I
25 think by the time --

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1 A. Of 2015.

2 Q. Yeah. Right. I gotcha.

3 By the time the State Police had got to your
4 phone, when you made the extortion complaint back in
5 August of 2015, ultimately they had computer specialists
6 try to pull information off your phone, I think, at that
7 point.

8 The first, quote/unquote, extortion text that
9 was on there was May 19, does that sound about right,
10 2015?

11 A. No. It doesn't sound right because -- I don't know -- I
12 know the date is what that date says, May 19th, but it
13 might've been because she received them earlier than that,
14 but there were issues with my phone, so my phone wasn't --
15 so it seemed like I received both calls and text messages
16 prior to that. But you might be right. I mean the data
17 says May 19th. I, I don't know if --

18 Q. Well --

19 A. -- or what it was before that.

20 Q. -- I think what you had told -- and maybe this refreshes
21 your recollection, maybe it doesn't, maybe I'm
22 misremembering this -- but I think you told the police,
23 actually, that you deleted the first couple of them just
24 because, you know, you saw them and you said, "What the
25 hell?" and, you know, you just deleted them, and then once

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1 you got to a few that kept on coming, then you started
2 saving them as of the May 19 one.

3 Does that sound about right?

4 **A. That sounds about right. Yeah.**

5 Q. Do you use toddcourser72@gmail.com for anything as of
6 today?

7 **A. No. I don't even know that that's -- I wouldn't even know**
8 **how to access that. I should probably see if I can do the**
9 **recovery on the password to see what's even in there.**

10 **Yeah, I'm sorry, I honestly don't know what the --**

11 Q. Okay. So going back, it was, it was once you started
12 receiving these texts that you realized that Mr. Allard,
13 Mr. Cline and Mr. Graham, or you suspected that those
14 three had access to your emails?

15 **A. Yes.**

16 Q. And --

17 **A. That someone had. Someone had. At that point, I didn't**
18 **know who, and obviously, you know, I mean you don't wanna**
19 **draw conclusions from a couple of anonymous texts on your**
20 **phone, that it's, you know, these, you know, two people**
21 **that you've known for many years.**

22 Q. Okay. I want to go back. You had mentioned, before, that
23 there was a recording that you referenced and I think you
24 mentioned that you were bugged.

25 Was it your office that was bugged?

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1 A. Some of the conversations, the initial conversations, were
2 at the hotel that were referenced in the extortion texts.

3 Q. Like what conversation?

4 A. I had a conversation in the hotel, I was on the phone, and
5 I believe actually Cindy was there for that conversation.
6 I wasn't talking to her. She just heard the conversation.
7 And we were talking about that there -- that it was a
8 veterans issue. And I made a very specific reference to
9 four veterans -- the number four -- four veterans. And
10 when I walk out on the street, that's when I got the text
11 that said how come, I think it says how come you only know
12 four veterans. So someone was actually listening to the
13 live conversation that was happening in the hotel room.

14 Q. Okay. And when, when was this?

15 A. Whenever that text came in.

16 Q. Was there ever a point where you thought your office was
17 bugged?

18 A. Well, I only have what the State Police gave me and the
19 data that came from Allard and Graham and Cline's phones
20 and Joe Gamrat's phone, so I only have the conversations
21 that they have. And Allard says that they were using and
22 employing bugs in the conversation, so they were listening
23 to conversations that we had in the office as well.

24 Q. Right. So the short answer to that is yes --

25 A. No. That's not what I said.

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1 Q. -- at some point you came to believe, you came to believe
2 that there were bugs in your office?

3 A. That's not what I said.

4 Q. Okay. Tell me why I'm wrong.

5 A. Okay. I'm not trying to fight with you.

6 Q. No.

7 A. So there were conversations that were happening. And
8 those conversations, once I saw the stuff, we knew that
9 there were bugs. Allard and Graham and Cline, in their
10 conversations between each other and then with Joe Gamrat,
11 confirmed there were bugs.

12 Do I know where they were, no. I only know the
13 one time that I can remember specifically is that there
14 was a live conversation that happened.

15 I also know that there were other times where we
16 had had conversations and I believe that they were bugged
17 as far as in the office, but I have no -- I only have
18 their words to show that.

19 Q. Whose words?

20 A. Their text messages from Allard, Graham and Cline and Joe
21 Gamrat.

22 Q. Right. So you got those text messages as a result of the
23 investigation, the Michigan State Police investigation
24 that took place, correct, and/or the House investigation?

25 A. No, not exactly. Those came through the criminal case.

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1 The Joe Gamrat stuff came from the Michigan State Police.

2 Q. Okay.

3 A. We got that one in -- I think we finally got access to
4 that one at the end of '16, 2016, but we didn't get access
5 to the text messages for Allard and Graham which showed
6 the communications between all the parties, the selected
7 ones that we were given, until I think it was June or July
8 of 2018.

9 Q. Fair to say that based upon your reading of those text
10 messages between Allard, Graham, and Cline maybe, you saw
11 a reference to conversations in those text messages that
12 took place in your office?

13 A. I, I, I'd have to go back and look at them.

14 Q. Is that not what you just told me?

15 A. Well, I know I had conversations in the office but I don't
16 know that that's where they heard them. I mean I could
17 have had other conversations. I don't know the specific
18 time that I was in the office that they were bugging me
19 through my phone or a computer or how that worked.

20 But it appeared that, from the text messages,
21 that they were bugging the offices and it appeared from
22 their text messages by them noting the times that we had
23 sexual contact, they noted those specifically as they were
24 happening, and those were in the hotel room.

25 Q. Did you come to find out that Joseph Gamrat had also

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1 placed recording devices in Cindy Gamrat's car?

2 **A. Yes.**

3 Q. Okay. Did you come to find out that Joseph Gamrat had
4 placed, at various times, recording devices in either
5 luggage or bags or purses of hers?

6 **A. I never saw that. I don't know that that's -- I don't**
7 **know that part.**

8 Q. Okay.

9 **A. She confirmed that it was -- that there was one in her**
10 **car. He also confirmed that he had placed recording**
11 **devices and I think she found -- it sounded like it was**
12 **upwards of a dozen of them.**

13 Q. Where?

14 **A. I don't know where she found them.**

15 Q. You never had a conversation with her about that?

16 **A. Yeah. I don't know where, where she found them. There**
17 **was a batch of them. So I don't know if she found them in**
18 **the, in the bathroom or the bedroom or the basement or --**
19 **I don't know.**

20 Q. Of her house?

21 **A. I have no idea. Yeah. I don't know where she found those**
22 **pieces.**

23 Q. Okay. So when is it -- did Cindy tell her husband about
24 the affair at some point?

25 **A. Yes. I think she did.**

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- 1 Q. When was that?
- 2 A. I think that was in I wanna say March or April.
- 3 Q. Of '15?
- 4 A. I think so.
- 5 Q. Did he suspect anything before that time?
- 6 A. Yes, I think so. My understanding is they were estranged
- 7 for quite sometime.
- 8 Q. What does quite sometime mean?
- 9 A. I don't know. They -- she just -- from my understanding
- 10 is they were not really together for, I don't know if it
- 11 was a year or two or whatever that was.
- 12 Q. Well --
- 13 A. Even while she was running for office.
- 14 Q. -- but he was helping, he was helping run her campaign
- 15 when she was running for office?
- 16 A. That's correct.
- 17 Q. Yet they were estranged at that point?
- 18 A. That's my understanding. There had been some physical
- 19 altercations as well.
- 20 Q. Any of those reported to the police?
- 21 A. I don't know.
- 22 Q. Where does Cindy currently reside?
- 23 A. I think, I think here in Kalamazoo. Well, we're not in
- 24 Kalamazoo here; are we? Portage. So she's in Kalamazoo,
- 25 I think.

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1 Q. When was the last time you spoke to her?

2 A. I speak to her by phone frequently. I have not spoken to

3 her by phone in the last, I wanna say the last month.

4 It's probably been a month ago.

5 Q. Okay. So you believe that Cindy told her husband about

6 your affair in March or April of 2015.

7 Was there a time before that, though, where you
8 came to realize that, hey, Joe might know what's going on?

9 A. I don't know. I didn't have much contact with Joe.

10 Q. Yeah.

11 A. So --

12 Q. Was there ever a time where he showed up at the, the
13 Radisson in February of 2015?

14 A. He showed up. I was not there. I did not know that he
15 was there. My understanding is he came, I think it was
16 the 12th or 13th of February.

17 Q. And wasn't it your understanding -- were you staying there
18 at that time?

19 A. I was, yeah.

20 Q. Yeah.

21 A. Yeah.

22 Q. Okay. And was Cindy staying with you?

23 A. No. She had her own room. I was unaware that they had a
24 altercation till the next day.

25 Q. And what, what do you recall about that?

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1 A. The next day I was told that there was an altercation
2 between her [sic] and Cindy.

3 Q. Tell me what she told you.

4 A. She said he came to the hotel, she didn't open the door,
5 and he was removed by Security.

6 Q. Did she tell you that he had witnessed her walking out of
7 your room?

8 A. He -- she said that that's what he claimed.

9 Q. Did that likely happen?

10 A. No. No. I'm not aware of that. I was asleep when that
11 all happened.

12 Q. She wasn't in your room at any point during that stay?

13 A. Yeah. She was in my room at points during that stay, but
14 she was -- I had no idea of that incident happening that
15 night.

16 Q. And that incident, though, was brought on by him
17 suspecting that you two were having an affair; fair
18 statement?

19 A. I think so.

20 Q. Yeah. Okay. So as of let's say February of 2015, Joe was
21 already -- had suspicions about your two's relationship;
22 fair?

23 A. Well, the text messages show that he, and also his
24 deposition shows that he was receiving phone calls and
25 also he was getting emails from the Radisson and that they

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1 were giving him updates as to my coming and going from the
2 hotel and that he knew my hotel room and he also confirms
3 that he was receiving emails of my reservations and
4 cancellations and that sort of thing. As a matter of
5 fact, it comes down to the minute-by-minute of my entry
6 and exit of the hotel.

7 It also shows that he was in my hotel room and
8 there were some pictures taken and there's some
9 communication about a recording. He confirms that in the
10 deposition, most of that, that detail and some of it is in
11 the rest of the texts.

12 Q. And that was a deposition that he gave in what?

13 A. I think he gave that one in the fall of 2018.

14 Q. In what action?

15 A. The action between Cindy and Joe.

16 Q. And that was Cindy suing Joe or was that --

17 A. Yes, I believe so. They had a divorce, so I -- but I
18 think it was in the civil case.

19 Q. Did Joe know Mr. Allard and Mr. Cline and Mr. Graham?

20 A. Only from the campaigns, my understanding was. He didn't
21 care for any of the three of them, but they seemed to
22 spend a lot of time together. Initially, he claimed he
23 didn't like any of the three of them, but the
24 communications show that they, they spent a lot of time
25 together, I guess is what I'm saying.

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1 Q. After that incident in February of 2015, were there any
2 other circumstances where you became aware that Joe was
3 either confronting Cindy about your affair or taking steps
4 to try to gather information about your affair?

5 MR. DePERNO: Objection to the form. I think
6 it's a compound question and may be confusing.

7 BY MR. KOSTELLO:

8 Q. Do you understand what I was asking you?

9 A. It's difficult to kinda say that because it's after the
10 fact so I have all the evidence between here and there. I
11 became aware of it through the evidence that we received
12 at the various spots where we received the evidence.

13 Q. Yeah.

14 A. But that was -- some of that was in '18; some of it was in
15 '17. So --

16 Q. Right. All right. In any event, there's no question
17 that, that before Cindy even told him that she was having
18 an affair with you, he was suspicious of it and was taking
19 steps to try to figure out if, in fact, you were having an
20 affair; fair statement?

21 A. I, I, I don't know. I mean you have to ask him what his
22 steps were.

23 Q. Okay. All right. Why is it that Cindy told him in March
24 or April of 2015?

25 A. I think it was the -- I actually don't know. I, I don't

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1 know when the text messages started to come, the extortion
2 text messages that were being sent, and I don't know if
3 she told him before that or after that.

4 Q. Well, we just talked about that and, you know, the first
5 documented one that we have is May of, May 19 of 2015, and
6 I thought we had just talked about the fact that they
7 maybe started about four days before that, on the 15th,
8 but you deleted the first couple of them. So we're
9 talking pretty -- you know, the middle of May here for
10 when those texts came. If she told him March or April,
11 that's seemingly a month or two before the text messages
12 started.

13 So was there any other event that precipitated
14 her affirmatively telling him about the affair?

15 A. I can't remember that.

16 Q. Okay.

17 A. I mean I just can't remember that time period.

18 Q. Was that something she consulted with you before doing?

19 A. I, I don't know. I don't know that I -- I don't remember
20 having a conversation about, about what you're talking
21 about, did she tell me or ask me if she should tell him.

22 Q. Did you know she was gonna tell him?

23 A. I, I honestly can't remember.

24 Q. Did she tell you after -- was after the fact the first
25 time you learned about it?

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1 **A. I, I don't remember.**

2 Q. And I don't mean to badger you about it, but it seems like
3 a pretty significant sort of issue. You were having an
4 affair with a married woman, and her husband, she
5 affirmatively told her husband about it, which arguable
6 could cause some issues for you, both with perhaps your
7 family and others, and it seems to me that you might have
8 a recollection of exactly how that went down or why it
9 went down.

10 **A. I don't remember if it happened that she told me before or**
11 **she told me after is what I'm trying to say.**

12 Q. But you knew, nevertheless, you knew that she told him;
13 right?

14 **A. Yes. She did tell me.**

15 Q. And what was that? Did she, did she tell you what his
16 reaction was at that time?

17 **A. I can't remember that.**

18 Q. Okay.

19 **A. Like I said, they had, my understanding is they'd been**
20 **estranged for quite sometime.**

21 Q. Right. Were you concerned with him knowing about it, that
22 he would reach out to your wife?

23 **A. You know, at that point I don't, I don't, I don't remember**
24 **what my reaction was to that.**

25 Q. Okay. Did you care one way or the other whether or not

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1 your wife found out about it?

2 A. I mean I think, you know, obviously I did care, but I
3 don't remember how that happened. I told my wife and the
4 -- and I can't exactly remember the day, but it was -- it
5 seemed like it was in, in May as well.

6 Q. Okay. Did anyone from your family know about it before
7 you told your wife?

8 A. I can't remember who I told first. There was a -- that
9 was one of the emails that happened in March that they had
10 gotten out of my computer. And that email, I think, was
11 between my mother and my brother and myself, discussing
12 those, those issues.

13 Q. So there was an email that existed in March of '15 between
14 yourself, your brother and your mother wherein you were
15 discussing the affair you were having with Cindy?

16 A. Yes. I believe that's when it happened.

17 Q. And your brother is Dan?

18 A. Dan, yes.

19 Q. Your mother is?

20 A. Georgeann.

21 Q. Georgeann. Okay.

22 And why is it that you were having that email
23 communication with them at that point?

24 A. Well, it's within my family. It's an issue that's gonna
25 come out.

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1 Q. Yeah. Okay. Let me ask you a different way.

2 Was that -- did you affirmatively reach out to
3 your mother and brother, at that point, to tell them about
4 it?

5 A. It was before the email. The email is actually kind of
6 the end of that conversation.

7 Q. Okay. The email's the closure to you telling them?

8 A. It seemed like it, and then there's more after that,
9 but --

10 Q. All right. So did you tell them by way of a phone call, a
11 meeting in person?

12 A. I don't remember.

13 Q. Why is it that you decided to tell your mother and brother
14 at that point?

15 A. I, I don't know.

16 Q. Okay.

17 A. It seems like they're the people I would tell.

18 Q. Fair enough. So then it sounds to me like the email that
19 was kinda the closure to that conversation between your
20 mother and your brother about the situation, that got in
21 the hands of Mr. Cline, Mr. Allard and Mr. Graham?

22 A. Yeah. They were -- apparently it wasn't just those
23 emails. There were others.

24 Q. And this was an email that would have gone to the
25 todd@toddcourser.com email address?

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1 A. Yes, I believe so. They also were going through the
2 archives of old emails from ten years ago they could use
3 in the, in the extortion texts and they did use some of
4 those pieces of information in the extortion texts.

5 Q. Okay. So they found this information by accessing your
6 private email account; correct?

7 A. That is correct.

8 Q. And that would have told them at that time --

9 A. That's my understanding. I don't wanna say correct.
10 That's my understanding.

11 Q. That's fine. That would have given them the information?

12 It sounds like the email, for example, that you
13 sent to your mother and your brother, the closure email,
14 essentially would have given them the impression that you
15 were in fact having an affair with Cindy at that time;
16 correct?

17 A. You'd have to repeat that question because I'm not sure
18 what you're saying.

19 Q. Yeah. I mean that email that we're referring to in March,
20 if someone read it cold, you know, if you were to hand it
21 to me right now and not knowing anything about this, would
22 I get the gist of the fact that you were having an affair
23 with someone?

24 A. I don't know. You'd have to read it.

25 Q. Yeah. Well, I'm asking you. You wrote it.

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1 A. But you're asking me would you get it. I'd have to read
2 it myself to remember that.

3 Q. Did it contain reference to the fact that you were having
4 an affair with Cindy?

5 A. I think you'd have to read it because I can't remember the
6 context. It was quite long. It was a back-and-forth that
7 happened.

8 Q. All right. In any event, the fact that you were having an
9 affair was out of the bag at least in March of 2015?

10 A. Yes, I think so.

11 Q. So Joe Gamrat at least knew about it and then --

12 A. March or it might've been April.

13 Q. Somewhere in there --

14 A. Yeah.

15 Q. -- he knew about it; right?

16 A. Yeah.

17 Q. Okay. Just to tie up a few loose things before we move on
18 to something here.

19 Ultimately, Mr. Allard and Mr. Graham were
20 dismissed from their positions?

21 A. Yes. They were fired by the Speaker of the House.

22 Q. And that took place in July of 2015; correct?

23 A. I believe July like --

24 Q. 6 or 7?

25 A. -- 7th or 8th, somewhere in there.

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1 Q. Okay. And that came about because you made a
2 recommendation that they should be fired?

3 A. No. It came about because they had taken Ann Hill off of
4 State property and then threatened her and there was a
5 recording that she made of that --

6 Q. Okay.

7 A. -- and tried to -- somehow they were, they were listening
8 in on the conversations between Cindy and I, and we were
9 discussing letting them go. We tried to hire someone else
10 to replace one, and I brought Karen in as well, so we were
11 making a transition and we were gonna let the two of them
12 go. So they moved to try and get -- you don't understand
13 how Lansing works, but basically they, they realized, from
14 listening in on the conversations between Cindy and I,
15 that we were gonna fire them and that we had met with Ann.

16 Q. Ann, as I understand it -- and correct me if I'm wrong --
17 was brought in because there was a decision made at some
18 point to, to separate the staff; is that correct?

19 A. We made the -- we, we wanted them to separate the staff
20 from January on, just said it isn't gonna work so we need
21 to hire somebody else, and they continued to fight to
22 continue to stay as a joint unit. They didn't want
23 anybody else on staff.

24 We brought in Ann Hill and then Karen Couture.
25 And the two of them on their own were taking care of the

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1 two offices. And both ladies said that they're
2 undermining you guys and that they are trying to get you
3 guys removed from office. And both of them said they're
4 not responding to constituents, they're refusing to go to
5 meetings, they were not following up with required
6 in-district events that were required.

7 And so once that information was coming
8 together, they got wind of the fact that we were gonna
9 fire them and we were gonna hire a gentleman named Justin.
10 And they got -- they were listening in on that
11 conversation, from the text messages that I've seen, and
12 therefore moved to try and run Ann out of the office by
13 threatening her. That's on a recording with Ann.

14 Q. When was Ann hired?

15 A. I don't know.

16 Q. When was Karen brought in?

17 A. I think Karen was brought in the end of May or June.

18 Q. After Joshua resigned in April of '15, was anyone retained
19 or hired to replace him?

20 A. We were attempting to find someone. We interviewed a
21 bunch of people. Of course they were never the right
22 person for Keith Allard or for Ben Graham, and so there
23 was always a reason that a new staff member wasn't going
24 to work out. And so they would set up the interviews, of
25 course, and it seemed like there was some resistance to

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1 hiring anyone else.

2 So I brought in Karen, because Karen is a
3 administrative wizard, and so she immediately said, as a
4 matter of fact, when the day Karen was hired, they set her
5 at a computer and there was a chat stream that was
6 happening between Allard and Graham and they said he's not
7 going to the funeral, we should follow him and take
8 pictures, along the lines of I think they were, they were
9 trying to suggest that I was making up the funeral of my
10 uncle to go and have sex with Cindy. And Karen saw that
11 her first day and then came to me.

12 I then, I then confronted them about that and
13 then, again, went to the House Business Office to say how
14 do we, how do we deal with this, move them to someplace
15 else, can we get them out of this office, and that's,
16 that's how that went.

17 Q. Okay. So it was you that went to the HBO to ask about
18 them being removed from your office?

19 A. I think Cindy went separately, and I believe Karen or Ann
20 went as well because of the pictures, the pornography,
21 because of the statements they made, the artwork. We'll
22 just say it that way.

23 Q. Who was Mr. Allard's supervisor? I mean if you had to --
24 if someone asked you the question who was his supervisor,
25 who was above him, who did he report to, who was his boss?

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1 A. We didn't have the ability to hire or fire. And I don't
2 know if they would've called us the direct supervisor, but
3 they worked for what's called the House Business Office.
4 And the House Business Office, I think the gentleman's
5 name, he's retired now, I think his name is Bowlin.

6 Q. Tim Bowlin?

7 A. Tim Bowlin. Yes. I, I think he moved to Las Vegas or
8 Phoenix or something like that.

9 Q. Right. But the House Business Office didn't have
10 day-to-day contact with these individuals?

11 A. Yeah. Yes, they did.

12 Q. They did?

13 A. Yeah.

14 Q. How so?

15 A. Well, their, their office is the -- so any timecards, any
16 of the legislative information, I believe, goes through
17 the House Business Office, requests for stamps, paper,
18 costs, calendaring, time off, all of that stuff is not
19 handled from us; it's handled from them.

20 Q. That's like kind of, you know, supplies, administrative
21 sort of stuff, though.

22 I mean from a day-to-day perspective, was
23 someone watching over Mr. Allard and his job performance?

24 Was that person you? Was it Cindy? Was it a
25 combination of both of you?

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1 A. Well, Allard was in her office, I believe paid for by her,
2 but like I said, it's kind of a weird thing. Essentially,
3 the person that hires and fires and has control is the
4 Speaker of the House, he designates that to the, I think
5 it's called the House Manager, Tim Bowlin, and then, from
6 there, the administration happens.

7 Q. All right.

8 A. Now, they're supposed to serve us as the State
9 Representatives for the district. They're, they're
10 actually employed to serve the district.

11 Q. So if there were issues that you had with job performance
12 of any of the legislative aides, including Mr. Allard, Mr.
13 Cline or Mr. Graham, was there a method where you could go
14 to the HBO and paper their file, so to speak, put a formal
15 complaint in their file, a warning a, hey, this is what
16 happened on this date?

17 Let's say, you know, there was some episode of
18 insubordination, came in five hours late without an excuse
19 or whatever. In a normal job situation, you open an
20 employment file and those sort of things appear.

21 Was there a method by which you could do that
22 with the HBO?

23 A. I'm sure there was. I was told obviously they go through
24 that process to try to reassign them and I was told they
25 were working through that process --

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1 Q. Well, but --

2 A. -- but I was new to the seat so I had never experienced
3 any of this before.

4 Q. Sure. So my question, though, then is from January of
5 2015 up until the point that Mr. Allard and Mr. Graham
6 were fired in July of 2015, were there any times where
7 either you or Cindy papered their file with, hey, their
8 job performance sucks, they weren't in on this day, Ben
9 smells because he hasn't bathed, anything along those
10 lines?

11 A. I know those conversations happened with the HBO. Whether
12 or not they turned it into an actual written complaint, I
13 don't know.

14 Q. Okay. How many conversations did you have with the HBO
15 about them during the course between January of '15 and
16 July of '15?

17 A. I, I don't know.

18 Q. And who would you go to in the HBO to make those
19 complaints? Would it be Tim Bowlin?

20 A. Yeah. It's Tim Bowlin's office. He's the director of
21 that and you can go in and sit in his office. He has an
22 administrative person. Some of that happened with Tim
23 Bowlin, but he had a lady that really was the one that,
24 that ran that operation. I, I don't know her name.

25 Q. If you had issues that you wanted to report to Mr. Bowlin

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1 or the HBO, would you do it in person or would it be done
2 by way of email?

3 Is there a form to fill out where you could, you
4 know, fill out the form and just hand it to his
5 administrative assistant --

6 **A. I'm sure there --**

7 **Q. -- or what?**

8 **A. I'm sure there are steps with that. I don't know what the**
9 **process was.**

10 **Q. Did you take any of those steps?**

11 **A. Yeah. I spoke to them at the, at the HBO.**

12 **Q. Okay. When you spoke to them, when you say them, is it**
13 **Mr. Bowlin or his assistant or --**

14 **A. It was him and his -- it was him and -- I can't remember**
15 **the lady's name that was his assistant.**

16 **Q. When you did --**

17 **A. I don't know who, I don't know who Cindy spoke to and I**
18 **also don't know who Ann Hill spoke to.**

19 **Q. When you had those conversations, were they filling out**
20 **anything formal that you could note? Were they taking**
21 **notes? Did they have you sign anything after the fact?**

22 Anything along those lines?

23 **A. No. I don't, I don't know if they took notes, but I don't**
24 **remember signing anything.**

25 **Q. Okay. And I guess the --**

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1 **A. Wait. Wait. I think I did sign something. I don't, I**
2 **don't know when that was.**

3 **Q. I guess the ultimate question was if I get the employment**
4 **files for Mr. Cline, Mr. Allard and Mr. Graham, and I open**
5 **them up, are they gonna be -- am I gonna see documentation**
6 **of these problems that you claim existed from the get-go**
7 **in January through the time they were dismissed in July?**

8 **A. That would be great if you could get those. I'd love to**
9 **see those myself.**

10 **Q. I'm asking you. Am I gonna see written complaints? Am I**
11 **gonna see written reprimands? Am I gonna see written**
12 **warnings? Anything along those lines?**

13 **A. How would I know that if I haven't seen them?**

14 **Q. I don't know.**

15 **A. I don't know.**

16 **Q. Okay.**

17 **MR. DePERNO: If I can interject, my guess is**
18 **you won't see any of that.**

19 **MR. KOSTELLO: That's my guess, also, maybe for**
20 **different reasons.**

21 **MR. DePERNO: Right. We probably have different**
22 **reasons for thinking that, but --**

23 **A. We gave him, also, the pictures of the, the pornographic**
24 **pictures that were coming in that they were leaving, their**
25 **artwork, and I think they were concerned about a sexual**

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1 harassment issue because it was more than one and then it
2 turned out there's the computers and then they had
3 complaints from the ladies as well.

4 BY MR. KOSTELLO:

5 Q. Okay.

6 A. But I don't know if they papered that into the file or
7 not.

8 (At 12:25, Deposition Exhibit Number 1 was
9 marked.)

10 MR. DePERNO: What's your plans on --

11 MR. KOSTELLO: This is off the record.

12 (At 12:26 to 12:46 p.m., recess taken.)

13 BY MR. KOSTELLO:

14 Q. Mr. Courser, let me show you what I've marked as Exhibit
15 1. This is a document, actually, that was produced by Mr.
16 DePerno during the course of discovery in this matter.

17 Have you ever seen this document before? Just
18 for the record, it's Bates Number Plaintiff's Document
19 Production 1235 through 1239.

20 A. Yes.

21 Q. And what is this?

22 A. This appears to be a Word document of the text messages
23 that I received during 2015.

24 Q. Okay. And these are the -- we've -- you've referred to
25 them before and I think I have, too, as the,

1 quote/unquote, extortion texts; correct?

2 **A. That is correct.**

3 Q. Okay. Now, the first one here we see is dated 5-19-2015;

4 correct?

5 **A. Yes.**

6 Q. But we discussed, before, that you thought there may have

7 been a couple before this, before the May 9th -- 19th;

8 correct?

9 **A. Yes. We discussed that.**

10 Q. Okay. This first text starts out, "Boo! The phone is a

11 burner. Don't bother trying."

12 Did I read that correctly?

13 **A. Yes, you did.**

14 Q. Okay. It kind of seems to me that that's almost an

15 introductory sort of like, "Hey, hello, this is me, I've

16 got a burner phone, you know, don't bother trying to trace

17 it" sort of thing.

18 It almost seems to me that that is a first type

19 of text that you may have received, but you're certain

20 that there were others before this?

21 **A. I'm certain there were other texts.**

22 Q. From the same number?

23 **A. I'm not certain of that.**

24 Q. Okay. So when you went to the -- you ultimately went to

25 the police about these texts; correct?

1 A. That is correct.

2 Q. And I think you went to the FBI first, is that right, or
3 did you go to the local Lapeer Police first?

4 A. Local Lapeer Police first.

5 Q. Okay. And then you went to the FBI?

6 A. Yes.

7 Q. And the FBI told you to go to the Michigan State Police?

8 A. Yes.

9 Q. Which is what you did?

10 A. Yes.

11 Q. In August of 2015?

12 A. Yes.

13 Q. Okay. So at that time when you provided them with the
14 texts that you were receiving, all of those texts that you
15 showed them were all from the same phone number, correct,
16 a 313 number?

17 A. I believe so.

18 Q. So you're telling me that there may have been ones before
19 that that were from a different number or you just don't
20 know one way or the other?

21 A. It seemed to me that some of the texts that I received
22 were different than the ones that Cindy received.

23 Q. Okay.

24 A. But I can't remember. I did receive other texts, but I'm
25 not certain that they were from the same number or not.

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1 Q. Okay. Were any texts that were deleted ever recovered
2 from your phone, as far as you know?

3 **A. I do not know that.**

4 Q. All right. So the first question, I guess, so these texts
5 start off, at least in Exhibit 1, on May 19 of 2015 and
6 the last one is on August 7, 2015.

7 It looks like you went into the Michigan State
8 Police on August 14, 2015; correct?

9 **A. I believe that's correct.**

10 Q. Okay. Why is it that it took you three months to go
11 report these texts to the police?

12 **A. Well, that's not true.**

13 Q. Okay. When did you make your first complaint about the
14 texts?

15 **A. I spoke to the sheriff of our county earlier than that.**

16 Q. When was that?

17 **A. I do not remember. It seemed like it was in the summer.**
18 **Probably June.**

19 Q. And what did he tell you, though, at that time?

20 **A. We had a conversation in my office concerning this and he**
21 **said that they could do an investigation on it. If, if we**
22 **wanted to follow through with that, they would need my**
23 **phone. He didn't really want to go, go forward with it.**
24 **He also suggested that I talk to the FBI.**

25 Q. Okay. So when he said we can do an investigation but I

1 need your phone, what'd you tell him?

2 A. In that conversation, he suggested that I go to the FBI
3 first. Because it was political, he was from the local
4 community, I think he wanted to distance himself from it.

5 Q. Okay. So you think this may have been in June of 2015?

6 A. I can't remember when the conversation happened in my
7 office, but I believe so.

8 Q. When is it that you went to the FBI?

9 A. I think it was right before the State Police.

10 Q. So that was in August of '15; correct?

11 A. That is correct.

12 Q. So why is it that you waited another two months, then,
13 between June of 2015 and August of 2015?

14 A. Because I was State Representative and I was having an
15 affair with another State Representative.

16 Q. And you didn't want that to get out?

17 A. Well, I wasn't sure exactly how to bring that out. My
18 family already knew at that point.

19 Q. Your family knew; Joe Gamrat knew; right?

20 A. That's right.

21 Q. Your staffers knew?

22 A. Yes. That is correct. Apparently Joe Gamrat, Keith
23 Allard, Benjamin Graham, Joshua Cline, and a man named
24 David Horr had been working from the beginning of 2015,
25 together, putting this in place and conspiring to do the

1 extortion texts.

2 Q. Okay. So who actually, to your knowledge, sent the
3 extortion texts?

4 A. The phone was held by a man named David Horr. The
5 information was only information that could have been
6 obtained by Allard, Graham, and Cline. Some of it is
7 information that Joe Gamrat had, but the rest of it came
8 through Allard, Graham, and Cline.

9 Q. So are you claiming that Allard, Graham and Cline had
10 direct contact with Mr. Horr?

11 A. I didn't say that.

12 Q. Okay. So how did Horr get the information from Allard,
13 Graham and Cline?

14 A. He got it through Joe Gamrat.

15 Q. Okay.

16 A. He may have gotten it directly, but we haven't gotten that
17 discovery.

18 Q. Okay. So Mr. Gamrat was obtaining information you believe
19 through Allard, Graham and Cline and then passing it on to
20 David Horr and telling him what to text out?

21 A. That's what the texts show.

22 Q. Okay.

23 A. At the time is different than what I know now. The texts
24 at the time, these texts, I didn't know where the
25 information was coming from, but it was very personal

1 information.

2 Q. Uh-huh. Okay. So --

3 A. Now I have the text messages from the various discovery
4 and it shows the, the connections between Allard, Graham
5 and Cline and Joe Gamrat and David Horr.

6 Q. Okay. So between March of 2015, when Joe Gamrat found out
7 about this through Cindy and your family found out about
8 this from yourself, through May of 2015, when you started
9 getting these texts, was there anything you were doing to
10 try to keep this affair quiet so that, you know, either
11 the Press didn't learn about it, your constituents didn't
12 learn about it, your wife didn't learn about it or --

13 A. Well, we already, we already, we already discussed --

14 MR. DePERNO: Wait. Let him finish the
15 question.

16 BY MR. KOSTELLO:

17 Q. -- was it just kind of fingers crossed, "Let's hope no one
18 says boo about this"?

19 A. I can't answer your question. It's compound. Which part
20 do you want me to answer?

21 Q. Answer the first part.

22 A. Which part?

23 Q. Was there anything you did between March of 2015 and May
24 of 2015, when you, when you started getting these texts,
25 to affirmatively make sure that this information about the

1 affair did not come out?

2 A. Well, I went to the police. Is that what you're --

3 Q. You didn't go to the police until June of 2015.

4 A. Sure. So I went to the HBO, said, hey, these guys,
5 they're -- I was obviously disgusted with them.

6 Also, there was another police officer, and I
7 can't remember if it was before or after, which was the
8 Capitol Police, which is separate, and I'm not sure when
9 that meeting was.

10 Q. Well, when did you go to the HBO about this?

11 A. I didn't go to the HBO about this, the actual text
12 messages. I went to the HBO regarding Allard, Graham and
13 Cline and their work performance.

14 Q. I get that. So when was the first time you went to the
15 HBO about their work performance?

16 A. I believe that was in March --

17 Q. Okay.

18 A. -- because I think that's when we found out about the
19 pornographic stuff.

20 Q. Was that not enough, the pornographic stuff, was that not
21 enough to get them dismissed?

22 A. Well, yes, if you actually wanted to dismiss them.

23 Q. You did not at that point?

24 A. No. We wanted them dismissed.

25 Q. The HBO did not?

1 A. We wanted them reassigned to someplace else. The HBO
2 refused and said they would work on it and strung us along
3 with that.

4 Q. What does that mean, work on it?

5 A. Well, you tell me.

6 Q. Work on finding them, work on finding them another post?

7 A. That was my understanding. Yes.

8 Q. So given that supposedly pornographic material was found,
9 again, your position is that they were looking to just
10 make them someone else's problem?

11 A. Their concern was that it was a sexual harassment issue.

12 Q. Right. So my point is that reassigning them to another
13 Representative doesn't solve that problem, does it, if
14 they're inclined to have pornographic pictures on their
15 computer, for example?

16 A. No.

17 Q. It's someone else's issue, then, at that point?

18 A. It wouldn't be my problem, it would be someone else's
19 problem, but I didn't have any mechanism to fire them. I
20 had to go through the channels that were government, the
21 government channels, to be able to bring into the record
22 the actions of these employees.

23 Q. Okay.

24 A. That's all I could do.

25 Q. Needless to say, is it a fair statement that from March of

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1 2015, when you know that Joe Gamrat knew about the affair,
2 and you told your brother, Dan, and your mom, Georgeann,
3 about the affair, through the time you first started
4 getting these extortion texts, that you were hoping that
5 this information about the affair didn't become public?

6 **A. No. That's not true. I knew it was going to become**
7 **public.**

8 Q. How did you know it was gonna become public?

9 **A. Because they said it's gonna become public.**

10 Q. They said it was gonna become public in the texts;
11 correct?

12 **A. That is correct.**

13 Q. Okay. So listen very carefully to my question then.

14 From March of 2015 until the time you received
15 the first text in May of 2015, is it fair to say that you
16 were hoping that the information about the affair did not
17 become public? So in March and April up through May of,
18 May 19 or May 15, whenever you may have received the first
19 text.

20 **A. Yes, I would've hoped that, but I assumed it would become**
21 **public.**

22 Q. Why did you assume?

23 **A. Because you now had people who were trying to make it**
24 **public, and I was approached by reporters that Allard,**
25 **Graham and Cline -- and I don't know if Joe Gamrat -- were**

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1 speaking to who were coming to me about the affair.

2 Q. Okay.

3 A. It was already public at that point.

4 Q. When did it -- when did you first realize that reporters
5 knew about the affair?

6 A. It was on the House floor when they sent anonymous texts
7 to one of the reporters or several of the reporters, but
8 one of them approached me.

9 Q. And this was before you received the first extortion text?

10 A. I believe it was.

11 Q. Okay. So do you remember who the reporter was that
12 approached you?

13 A. Kyle Melinn.

14 Q. MR -- MIRS?

15 A. He was at MIRS; I don't think he is now.

16 Q. MIRS. Okay. At the time, though, he was at MIRS?

17 A. Yes.

18 Q. And he approached you and asked you about the affair?

19 A. I believe that's how it happened.

20 Q. Okay.

21 A. I believe it was in the back hallway at the State Capitol,
22 so it was, at that point, it was my sense it was going to
23 be public.

24 Q. Okay. Gotcha. When the extortion texts started coming
25 in, I take it you realized there was a greater chance that

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1 it would ultimately become public; you were being
2 threatened --

3 A. I was being --

4 Q. -- that it was going to be public?

5 A. -- extorted, yes, into -- obviously this, this all fits in
6 with Flint water. You don't understand politics, and I
7 get it. You're trying to do your job. But there were
8 issues related to Flint water. Flint water hadn't become
9 public at that point. But we were getting information
10 that there was a problem with Flint water, that people
11 were dying from legionnaires' disease, all that stuff was
12 happening.

13 And so obviously they were concerned and I
14 myself was one of the few votes against the road tax and
15 all that sort of stuff, so there was a lot of attention to
16 try to get leverage over myself and over Cindy. And so
17 you didn't really know where the pressure was coming from.
18 Was it Allard, Graham Cline or was it the Speaker of the
19 House or was it from someplace else.

20 Obviously we were both against Prop 1, and that
21 was happening at the very same time. Prop 1 was the
22 attempt by Schneider to get the tax increase. So the
23 sense was the extortion was, was trying to get us to vote
24 a certain way on that key piece of legislation --

25 Q. Okay.

1 A. -- so that they could pass it.

2 Q. That was your thought at the time when you first started
3 getting these?

4 A. That was my thought at the time and that's my thought now.

5 Q. Really? In hindsight, looking back and seeing who was
6 involved in the extortion texts, you still believe that
7 the purpose of them was political in nature and not
8 personal in nature?

9 A. Allard, Graham and Cline met with the Speaker's House and
10 the Speaker's chief legal counsel repeatedly, both on site
11 and off site, concerning this before the text messages
12 came.

13 Q. Right. But ultimately the two main individuals behind the
14 text messages were Joe Gamrat and David Horr; correct?

15 A. That's incorrect because the information came from Allard,
16 Graham and Cline.

17 Q. Mm-hmm. Joe Gamrat, what was his motivation for being a
18 part of this whole thing?

19 A. Joe Gamrat's motivation was to -- it says in the texts --
20 to remove us from office.

21 Q. Okay. And you believe that as opposed to maybe Joe
22 Gamrat's desire in sending these was simply to have you
23 stop having sex with his wife?

24 A. He never says that.

25 Q. Yeah.

1 A. So I don't believe that these texts were from Joe Gamrat
2 alone; I believe they're from Allard, Graham and Cline.

3 Q. Mm-hmm. Okay. Gotcha.

4 A. I think that would've been Joe's motivation, and I think
5 Allard, Graham and Cline used that to get him to act out
6 the pieces they needed him to, and that's what the text
7 messages show.

8 (At 1:01 p.m., Deposition Exhibit Number 2 was
9 marked.)

10 BY MR. KOSTELLO:

11 Q. I show you what I've marked as Exhibit 2.

12 Have you seen this document before?

13 A. Not this specific one.

14 Q. Have you seen the text of what's contained in this
15 document before?

16 A. I have.

17 Q. And what is that text?

18 A. That is a -- that is the text from a email that was
19 crafted and then it was sent out.

20 Q. The email was crafted by who?

21 A. It was crafted by myself and a man named Benjamin Graham.

22 Q. So you actually had a meeting with Ben Graham on May 19,
23 2015 to discuss sending out this email; correct?

24 A. Yes. I believe it was on May 19th.

25 Q. And that meeting took place in your law office in Lapeer?

1 A. Yes, it did.

2 Q. Late at night, like 10:00 p.m., something along those
3 lines?

4 A. I don't know the exact time but that sounds right.

5 Q. And the reason -- you actually asked for that meeting with
6 Mr. Graham; correct?

7 A. Correct.

8 Q. And the reason you asked for that meeting was to discuss
9 with him sending out this email in order to create a
10 diversion of some sort because of -- I think -- well,
11 correct me if I'm wrong -- your concern about the
12 information regarding your affair coming to light; is that
13 fair?

14 A. I met with him concerning the extortion texts that I was
15 receiving and that Cindy was receiving.

16 Q. Mm-hmm. Okay. And you just discussed with him or asked
17 him, at that time, to send out this email; did you not?

18 A. I asked him how would we deal with this in regards to the
19 extortion texts.

20 Q. Okay. And what did he tell you?

21 A. We went through scenarios on what would be the actual
22 language that went into this.

23 Q. Okay. Whose idea was it to send this out?

24 A. I actually can't remember. I think he brought it up first
25 and then approached a man named Ike Eickholdt and made a

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1 phone call to him prior to our meeting, asking him if he
2 would be available to send out an email.

3 Q. Okay. So it's your testimony that it was Mr. Graham's
4 idea to send out this email to distract from the issue of
5 the extortion texts and ultimately the affair?

6 A. No. We had a conversation. I don't know that it was his
7 idea. I think that the two of us had a conversation that
8 night --

9 Q. Okay.

10 A. -- and this was the result of that.

11 Q. I asked you, though, the question about whose idea it was.

12 Whose idea was it?

13 A. I can't remember who had the original idea.

14 Q. Okay.

15 A. That, that night was pretty rough. So --

16 Q. All right. Mr. Graham has indicated that it was your
17 idea. Is he mistaken in that?

18 A. I think he is.

19 MR. DePERNO: Objection to the form of the
20 question and, and the source of the information that you
21 just presented. I'm not sure that's an accurate
22 statement.

23 MR. KOSTELLO: Oh, I believe it's completely
24 accurate.

25 MR. DePERNO: Is there a document you're

1 referring to?

2 BY MR. KOSTELLO:

3 Q. Okay. So you believe it was his idea then? Is that what
4 you're saying?

5 A. There was a, there was a tape made of that conversation.
6 Mr. Graham has released a portion of that. The rest of it
7 has been redacted, twenty-something minutes of it. The
8 conversation between him and I happened before that. He
9 spoke, if I remember correctly, now this is all very vague
10 from that night, but Mr. Graham spoke to Ike Eickholdt and
11 reached out to him beforehand, asking if he would be
12 available to assist on doing some emails.

13 Q. When you say beforehand, before what?

14 A. Before the actual meeting that I had with Ben, with Ben
15 Graham.

16 Q. So before May 19, Ben Graham had reached out to Ike
17 Eickholdt, to ask him about sending out a mass email?

18 A. I believe it was the hours before that.

19 Q. Okay. So --

20 A. We have that text message, I believe.

21 Q. So in the hours before your late night May 19 meeting,
22 Mr. Graham reached out to Ike Eickholdt about sending out
23 this email?

24 A. I was not aware of that at the time. Ike -- I'm aware of
25 that now from the text messages. At the time, I did not

1 know that Ben had reached out, that Ben Graham had reached
2 out to Ike Eickholdt. Ike Eickholdt, my understanding was
3 he believed that he was doing this on behalf of me. I had
4 not spoken to him at that point; Ben had reached out to
5 him. I'm just going from the text messages and the, and
6 the actual call logs.

7 Q. Mm-hmm. And who wrote the text of this email?

8 A. It was written on my computer. He and I sat there and
9 went through the actual language of it.

10 Q. Okay. So both you of sat there together and jointly
11 constructed this email?

12 A. Yes.

13 Q. Okay.

14 A. He, he made recommendations on word phraseology or phrases
15 to use and, like I said, there's twenty-something minutes
16 missing from the conversation tape that was released
17 publicly.

18 Q. All right. And tell me exactly what the point of sending
19 this out was.

20 A. The point of this was to actually to force the person that
21 was extorting myself with these texts, to force that
22 person to, to respond and therefore reveal themselves, and
23 they did. And I knew it was very close to Benjamin Graham
24 because immediately the text messages that we were
25 receiving and the conversations that were being had and

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1 people reaching out confirmed that that was the case.

2 Q. So after this was typed out that evening, was it then sent
3 to Ike Eickholdt to send out?

4 A. Yes, it was.

5 Q. Who sent it to him?

6 A. I pushed Send on the computer. Yes.

7 Q. From what email account?

8 A. I wanna say that was from, I believe that was from
9 todd@toddcourser.com but it could've been
10 courserlaw@gmail.com.

11 Q. And when did the email go out, so to speak, to however
12 many people it went out to?

13 A. I believe that Ike sent it out the next day.

14 Q. So we're talking May 20?

15 A. I believe so.

16 Q. Do you know what time it went out?

17 A. I do not. I don't know who he sent it to either.

18 Q. And that was -- just so I'm understanding, your position
19 is that Ben Graham was complicit in the whole decision to
20 send out the email, the writing of the email and, well,
21 the initial idea, the writing of the email, and then the
22 decision to send it out?

23 MR. DePERNO: Objection to the form of the
24 question. Compound. You can answer it.

25 BY MR. KOSTELLO:

1 Q. You can answer it.

2 A. Oh, okay.

3 MR. DePERNO: Just trying to make sure you
4 understand it.

5 A. What I understood at the time versus what I understand now
6 is different because of the evidence. So do you wanna
7 know what I thought then or what I think now?

8 BY MR. KOSTELLO:

9 Q. Yeah. Why don't you tell me what you think -- thought
10 then.

11 A. What I thought then is that we were trying to figure out
12 how to deal with this. What I, what I understand now is
13 that Mr. Graham --

14 MR. DePERNO: You said this.

15 THE WITNESS: The extortion texts that I was
16 receiving.

17 A. What I understand now is that Ben Graham was working with
18 Allard, Graham, Cline and Joe Gamrat and David Horr, and
19 so they were the ones that were actually sending the
20 extortion texts while Mr. Graham was sitting in the
21 office.

22 BY MR. KOSTELLO:

23 Q. Did the police investigation ever link Mr. Graham,
24 Mr. Allard, Mr. Cline to any plot to send those out?

25 I mean -- and I guess I'll step back because

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1 there's a difference, I guess a distinction between Joe
2 Gamrat having conversations with them and obtaining
3 information versus them affirmatively being involved in a
4 plot to send these extortion texts out.

5 Are you aware of any evidence that exists
6 wherein they were implicated, by the Michigan State
7 Police, in that plot to send out the texts?

8 **A. Yes. When you read their texts, it's pretty clear what**
9 **they're doing. So I don't know if you read through --**

10 Q. Yeah, I have. And I --

11 **A. -- the thousands of pages of texts.**

12 Q. -- can't point to a single text where they talk about
13 sending out these texts to you. There's not one and I've
14 read every one of them. So I'm just wondering where,
15 where exactly that exists.

16 **A. I mean I'd have to go through the text messages, those**
17 **thousands of pages.**

18 Q. Yeah. Okay.

19 You've also probably read the Police Report on
20 your extortion complaint; correct?

21 **A. Yes, many times.**

22 Q. Where, in that report, does it come to the conclusion that
23 Mr. Graham, Mr. Cline and Mr. Allard were involved in
24 that, in that plot in any way?

25 **A. It doesn't say it in the Police Report. Where it does say**

1 it is the Speaker of the State House said, and we became
2 aware, that these employees were involved in a months'
3 long extortion plot to remove their, their State
4 Representatives from office.

5 Q. Okay.

6 A. Do you want me to find that for you?

7 Q. No. That's fine.

8 A. They said it, the Speaker of the State House said it, it's
9 a quote that was then used in multiple other spots.

10 Q. Mm-hmm.

11 (At 1:12 p.m., Deposition Exhibit Number 3 was
12 marked.)

13 BY MR. KOSTELLO:

14 Q. Let me show you what I marked as Exhibit 3. These are
15 Bates Number Plaintiff's Document Production 213 through
16 215.

17 Have you ever seen a form of this document
18 before or, or these pages?

19 Do you recall reading these pages?

20 A. Yes, I do.

21 Q. Okay. These appear to be text messages from -- to and
22 from Ben Graham; is that fair?

23 A. I don't see his name so I'd have to -- there were a lot of
24 text messages mixed in, so I'm not sure.

25 Q. Well, if you go down to Page 213, for example, the second

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1 one from the bottom, it's from Todd Courser and it looks
2 like, perhaps, your phone number was, was redacted, but
3 the message is, "Ben, I realize that was probably not the
4 way to handle that with you and I know you are now
5 probably making a decision of how to proceed forward", and
6 you're addressing Ben.

7 I assume that's Ben Graham; correct?

8 **A. Yes. I would assume so, but I'm not -- go ahead.**

9 Q. Okay. So the meeting that you had with Mr. Graham on May
10 19 started at around 10:00 p.m.

11 When did that end?

12 **A. There's some dispute about that, based on the tape and**
13 **Joshua Cline's affidavit that he gave I think in -- a year**
14 **ago -- where he said that there are twenty minutes missing**
15 **from the tape. So I believe the whole meeting lasted 102**
16 **or 112 minutes, somewhere in there.**

17 Q. Okay. Looks like, if you go to Page 215, there's a text
18 from you to Ben Graham on May 20, 2015, at 1:07 a.m.

19 Do you see that?

20 **A. I'm sorry. I don't see that.**

21 Q. It's about four down from the top.

22 **A. Yes. I see that.**

23 Q. It says, "Hey, Ben, if you're not coming back, please let
24 me know. I know it doesn't make sense and maybe it
25 doesn't. If you see another way, then let me know, but if

1 I can keep this from blowing all to hell, then I would
2 like to give it this shot. Maybe it's nothing and maybe I
3 should not have ever run but I felt and still feel that
4 God brought me here and had me here and maybe it hasn't
5 accomplished anything but I have to believe it has done
6 some good in spite of me"?

7 **A. I don't see where you're reading. I'm sorry.**

8 Q. Okay. Do you see, "Hey, Ben" at 1:07 a.m. on May 20, four
9 texts down from the top?

10 **A. "Hey, Ben", yes, I see that one.**

11 Q. Okay. So I started reading there. And then if you look,
12 these texts are broken up and they're in chronological or
13 they're in order though, so if you go up to the next one,
14 that's the continuation of the one that starts, "Hey,
15 Ben". It says, "This from blowing all to hell" and the
16 next one up is, "God brought me here."

17 Those are all from you --

18 **A. Yep. I see that.**

19 Q. -- at 1:07 a.m. on May 20. Do you see that?

20 **A. Yes.**

21 Q. That would've been after your meeting with Ben that
22 evening on the evening of May 19; correct?

23 **A. I think the question that we found out about these text**
24 **messages is the gentleman that did the -- Ed Primo stated**
25 **that the actual, the actual recording was pieces of a**

1 recording that were put together.

2 Q. I'm not talking about a recording.

3 I'm talking about these are actual text messages
4 sent between you and Ben Graham?

5 A. That's correct. And Ben Graham is -- what we, what we had
6 is several ways to kind of how to address these, this
7 situation (pointing). This was one of the ways that we
8 discussed (pointing).

9 Q. Okay. So just if you listen real carefully to what my
10 question was, you sent this text to Ben Graham shortly
11 after your meeting with him in the evening of May 19;
12 correct?

13 A. Yes, I believe so.

14 Q. And what was this text? What did you mean by this text?
15 What was the point of sending it?

16 A. Trying to figure out what exactly to do with the extortion
17 texts, to try and figure out who the person was that was
18 sending them to me.

19 Q. Okay. So you told me, before, that Mr. Graham was
20 complicit in the idea to send this email, the writing of
21 the email and the actual sending of the email.

22 I want you to take a look at the top text there
23 that was a return, a reply to you at 1:24 a.m. on May 20
24 where he says, "I don't know what the answer is but this
25 isn't it. This kind of stuff never stays hidden. It's

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1 going to blow up and I can't help cover it up. If it
2 wasn't true, I would go to the end of the earth to defend
3 you but I can't help you cover it up. My best advice,
4 consider resigning. You may be able to protect Cindy and
5 her family and your family. I'm sorry. I really am.
6 I've prayed on it and I just don't feel right with it."

7 Did I read that correctly?

8 **A. Yes. That was his -- after he left and there was some**
9 **time, he responded with that. That was different than the**
10 **conversation we had at the office.**

11 Q. Okay. So what you're telling me is that a couple hours
12 earlier, this was his idea, he helped write it, he helped
13 send it out, and then as of 1:24 a.m. he is writing this
14 text saying I don't want any part of this?

15 **A. He said I prayed on it and I just don't feel right with**
16 **it. It says he made a decision not to do it. He doesn't**
17 **want to be involved in it.**

18 Q. Okay.

19 **A. That's what the text says.**

20 Q. And that wasn't something he had indicated to you at any
21 point earlier that evening?

22 **A. I think there was discussions about were there other ways**
23 **to do it and his misgivings about this, about this way of**
24 **doing it, but he made different references as far as the**
25 **words being used.**

1 Q. Okay. So going back to the email, the thought process was
2 to send this out to a bunch of people to distract from the
3 affair --

4 A. No.

5 Q. -- or was it to send this out with the idea that you're
6 gonna flush out the extortionist?

7 A. We were receiving the extortion texts, so the idea was to
8 send this out and then find out who was involved in the
9 extortion plot to remove Cindy and myself from office.

10 Q. Maybe I'm just not good at that kind of stuff, but if you
11 could walk me through exactly how it is sending out that
12 email accusing you of being a drug user and having gay sex
13 behind nightclubs, was going to flush out the
14 extortionist? Because I'm just a little unclear on how
15 that exactly would work.

16 A. My sense was is that it was very connected to Ben Graham,
17 Joshua Cline and Keith Allard. And so the meeting was,
18 what's missing out of the twenty minutes in the tape is me
19 confronting Ben Graham about the fact that my emails, the
20 stuff in here came from the emails in my Inbox, the stuff
21 in here came from old archives of emails, and so I
22 confronted Ben Graham about doing this and of being
23 involved in it.

24 And he, of course, was, at that point, taping me
25 and those pieces of information have been removed from the

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1 tape. So I was attempting to find out how close the
2 people were to Ben Graham, and what happened was we
3 figured out that it was him.

4 Q. And sending out this email was gonna do that how?

5 A. Because immediately I got responses that said -- you know,
6 you got responses that, that confirmed that Ben Graham
7 was, was forwarding out this information, so in the coming
8 days after that. So --

9 Q. Ben Graham was forwarding what information?

10 A. I can show you your whereabouts. I mean you can go
11 through all the various texts of it. And so my sense was
12 it was somebody who was very close to Ben Graham. The
13 reporters that were coming said they knew about the
14 meetings with Ben Graham and obviously the text messages
15 afterward show that they were actually watching my email
16 Inbox and Outbox when the actual text or the actual email
17 went out.

18 Q. Okay. So in order to flush out that fact and instead of
19 first going to the police, you decide to send out an email
20 that accuses you of being a drug user, of soliciting gay
21 prostitutes and a whole heck of a lot of other stuff that
22 was true or not true?

23 That email, the stuff in the email, true or not
24 true?

25 A. You're, you're saying as far as the truth of it?

- 1 Q. Yeah.
- 2 A. Truth of the matter, no, it's not true.
- 3 Q. Any of that true (pointing)? No?
- 4 A. I'd have to read through each word of it, but no.
- 5 Q. Okay. So that was your master plan, to send this out to
- 6 -- how many people did this go out to?
- 7 A. I don't know.
- 8 Q. I saw a number like upwards of a thousand.
- 9 A. I wasn't aware of who it went to or -- I think Ike got
- 10 that list from Ben.
- 11 Q. Mm-hmm. So instead of reporting this originally to the
- 12 police and letting them deal with it as soon as you got
- 13 the first text, this was the plan, to send out this email?
- 14 A. Well, you remember I was having an affair. Did it make
- 15 sense to go public or to go to the police in that
- 16 situation? My sense was, at that point, that we were
- 17 being extorted to either, one, remove us from office so
- 18 they could pass or -- so they could pass it.
- 19 Q. That made more sense?
- 20 A. At the time it did.
- 21 Q. Who's David Forsmark?
- 22 A. He's somebody that, that, that is a political consultant
- 23 that Cline, Joshua Cline, is friends with.
- 24 Q. Did he ever do work for you?
- 25 A. No.

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1 Q. Did you, at one point, believe that David Forsmark was
2 involved in the blackmail texts, extortion texts?

3 A. Yes, I did.

4 Q. Why?

5 A. Because of the, because of the communications back and
6 forth with Graham and Cline. So my sense was it was
7 something to do with David Forsmark. I've since -- I
8 don't -- I think he was still involved and I think he was
9 aware of it, but I, but I have not seen any text messages
10 that say that he was somehow at the forefront of it.

11 (At 1:24 p.m., Deposition Exhibit Number 4 was
12 marked.)

13 BY MR. KOSTELLO:

14 Q. I'll show you what I've marked as Exhibit 4. This is
15 Bates Number Plaintiff's Document Production 209.

16 Do you recall seeing this page before?

17 A. Yes.

18 Q. Okay. These are, again, text messages back and forth
19 between individuals; correct?

20 A. Yes.

21 Q. All right. I want you to turn your attention to the third
22 one up from the bottom and it's a text from Joshua Cline,
23 and I believe it's to Ben Graham, but it's dated May 21,
24 2015 at 8:56 p.m., where Joshua Cline says to Ben Graham,
25 "I think the blackmailer is Joe. Dan gets texts the day

1 he speaks with Joe."

2 Did I read that correctly?

3 **A. Yes.**

4 MR. DePERNO: Object to the question. How do we
5 know it's from Ben Graham? I don't think there's any
6 foundation for that.

7 BY MR. KOSTELLO:

8 Q. Well, the second text from the top, there's a text dated
9 May 26, 2015 from Bob Murphy.

10 Do you know who Bob Murphy is?

11 **A. Bob Murphy is a guy at The Tea Party --**

12 Q. Okay. In any event --

13 **A. -- Lapeer Tea Party. He's not there now.**

14 Q. Okay. In any event, that text from Bob Murphy, the
15 message is, "Ben, are we all set for a town hall next
16 Tuesday? We want to put notice in paper today. Please
17 call me." So that's why I'm assuming these are Ben
18 Graham's texts.

19 In any event --

20 **A. Hold on. I don't understand. So you're saying because**
21 **Bob Murphy sent this to Ben, these are Ben's texts? Is**
22 **that what you're saying?**

23 Q. Yeah.

24 **A. Okay.**

25 Q. Do you know any other Bens that we have text messages,

1 that you produced text messages from?

2 **A. I don't know. I was just trying to follow where you were**
3 **at.**

4 Q. Okay. Do you see where I'm reading from?

5 **A. I do.**

6 Q. Okay. So could these be any other -- do you know of any
7 other Ben's texts that you have that you're in possession
8 of that you've produced in the course of this litigation?

9 The problem with the reports that you've
10 produced is it doesn't have any indication of where the
11 phone number is coming from, so you kinda have to read
12 them and try to figure out who the people are talking, but
13 again, I'm going under the assumption since Bob Murphy was
14 texting this phone, saying, "Ben, are we all set for a
15 town hall?", that it's Ben Graham.

16 Fair assumption?

17 **A. Okay.**

18 Q. Okay. In any event, going back down to the third one from
19 the bottom: "I think the blackmailer is Joe." This,
20 again, is from Joshua Cline. "Dan gets texts the day he
21 speaks with Joe."

22 Did I read that correctly?

23 **A. Yes.**

24 Q. If Mr. Cline, Mr. Graham, were involved in the extortion
25 texts plot, why would they be texting each other saying,

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1 "I think the blackmailer is Joe"?

2 A. I don't know. My sense is because what was going on is
3 Josh wasn't cut in at that point because he was no longer
4 working at the office, and the phone calls primarily were
5 not between, that we found, between Cline and Joe Gamrat;
6 they were primarily between Allard and Joe Gamrat.

7 Q. So when was Josh Cline piped into the whole scheme?

8 A. Well, you can see from other texts that he's involved in
9 other parts of it -- the surveillance repeatedly.

10 Q. I'm talking about the extortion texts.

11 When was he involved in sending out the -- you
12 told me, before, that you believe Joshua Cline was
13 involved in sending out the extortion texts.

14 When did he get piped into that plan?

15 A. Well, Ben was texting him as he was at my office and went
16 to his office immediately after that, and then Joshua
17 Cline was aware of the fact that I sent it out of my
18 Inbox, my email Inbox immediately, and those text messages
19 show that he was, that he was connected to that.

20 Q. Connected to the extortion texts plot?

21 A. Yes. I mean what you have is you have these extortion
22 texts and we have a conversation, we had a conversation
23 that night on May 19th and you have then text messages
24 with Joshua Cline immediately following and during that
25 time. And so the information that I have, when you look

1 at this, you can see pretty clearly that Joshua Cline was
2 involved in the gathering and dissemination of that
3 information.

4 Q. Okay. You authorized that email to go out, right, the
5 false flag email, Exhibit 2?

6 A. Actually there was some confusion on that between myself
7 and Mr. Eickholdt and it was paused the next morning and I
8 said hold off and then he, he assumed that I -- that
9 because he had some technical difficulties in getting it
10 set up, that, you know, basically once he got that figured
11 out, he continued on in sending it out.

12 Q. You know Mr. Eickholdt --

13 A. But I was unaware of the -- that -- who it went out to and
14 when it went out.

15 Q. You understand that Mr. Eickholdt has denied being
16 involved in sending that out; right?

17 A. No. Mr. Eickholdt was on the stand and he said that he
18 did actually send it out.

19 Q. And he also has denied it, too, in newspaper articles to
20 reporters; correct?

21 A. He did that initially and then he admitted to it, I think,
22 in his police interview and also on the stand in Judge
23 Clark's preliminary exam.

24 Q. Mm-hmm. At some point the Press started reporting that
25 you were behind that email; correct?

1 A. That is correct.

2 Q. And when did, when did that first report come to light?

3 A. I'm not sure.

4 Q. It was August-ish; wasn't it?

5 A. No. I think there was, I think there was -- from the text

6 messages, you can see that they were communicating with

7 other people immediately following it being sent out.

8 Q. I'm not asking you who they were communicating with.

9 I'm asking you when the first report in the

10 Press -- either on the Internet, on the newspaper,

11 whatever -- came out that you were behind it.

12 That wasn't until August; was it?

13 A. There was an email or a text message between I believe it

14 was Ben Graham or Joshua Cline and someone else where they

15 said I think his, I think his email got hacked, and they

16 said no, it wasn't. And so I believe that then it showed

17 up on the House floor, from one of the reporters, within a

18 few -- I don't know if it was a few days or a few weeks.

19 Q. Of the email going out?

20 A. Yeah. Yeah. I mean a copy of it.

21 Q. A copy of the email?

22 A. Yeah, a copy of the email.

23 Q. Yeah. That's not what I'm asking you, though, sir.

24 A. It came --

25 Q. What I'm asking you is when -- look -- yeah, a copy of the

1 email may have, but when was the first report linking you
2 to sending out that email?

3 A. I, I believe it was when Chad Livengood wrote the story,
4 but I'm not sure. I think that I guess what I'm saying is
5 media -- are you saying newspapers or are you saying
6 Twitter? Because there was a whole bunch of Twitter
7 information related to the idea that I sent it out.

8 Q. Okay. So there was speculation on Twitter that you had
9 sent it out, but do you know who Brandon Hall is?

10 A. Yes.

11 Q. Okay. Wasn't he one of the first ones to report that it
12 was you that sent that email out?

13 A. Yes. He was in, he was in communication with Allard,
14 Graham and Cline. He was connected to them.

15 Q. So if they were, they were intending -- it sounds like to
16 me like what the gist of your thought process here is that
17 ultimately this goes back to a plot to have you removed
18 from office because of -- for political reasons; is that
19 fair?

20 A. Yes.

21 Q. Okay. So if that was the stated goal of this plot, why is
22 it that they would have sat on this idea that it was you
23 who sent out the email from the time it went out on May 20
24 until August 7, 2015?

25 Wouldn't it have made more sense, if their

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1 stated goal was to get you out, to immediately have leaked
2 that you were responsible for it?

3 MR. DePERNO: Objection to the question. It's
4 compound. It's speculative. I don't think the witness
5 can testify as to what people were thinking.

6 MR. KOSTELLO: I'm asking what his thought
7 process is.

8 MR. DePERNO: That's not what you asked. You
9 asked --

10 BY MR. KOSTELLO:

11 Q. Wouldn't it make more sense?

12 MR. KOSTELLO: Yeah. That's exactly what I
13 asked.

14 MR. DePERNO: You asked about wouldn't it make
15 more sense by the people doing the extortion.

16 BY MR. KOSTELLO:

17 Q. Wouldn't it make more sense to you to have released it,
18 the information that you were behind that email,
19 immediately, if their stated goal was to --

20 MR. DePERNO: Objection. Objection.

21 MR. KOSTELLO: You've got to let me finish.

22 MR. DePERNO: Okay. I'm sorry.

23 BY MR. KOSTELLO:

24 Q. You just told me that it was Cline, Allard and Graham who
25 gave Brandon Hall the information about where the email

1 came from.

2 So my question is wouldn't it have made more
3 sense, if the stated goal was to get you out of office, to
4 have released that or put that in some reporter's ear on
5 May 22, May 21, the day after the email went out?

6 MR. DePERNO: Objection again. You're asking
7 him to speculate on, on what the extortion plotters were
8 thinking or why they were doing what they were doing. I
9 don't think you can ask him that question.

10 MR. KOSTELLO: Oh, I can absolutely.

11 BY MR. KOSTELLO:

12 Q. So you can answer it.

13 A. Well, you can keep smiling. You're just kinda smiling and
14 rolling your eyes. It's a little offensive. I mean if
15 you wanna ask me a question --

16 Q. I've asked you the question.

17 A. Well, stop rolling your head around and --

18 Q. I'm not rolling my head around.

19 A. -- rolling your eyes and smiling like that. It's
20 offensive. Just even that. If you wanna ask a
21 question --

22 Q. I did.

23 A. -- I think I can answer it, but stop being a jerk.

24 Q. I'm not being a jerk at all.

25 A. You are being a jerk.

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1 Q. Not at all.

2 A. You are.

3 Q. Go ahead.

4 THE WITNESS: Can I answer it?

5 MR. DePERNO: I think you can answer it to the
6 extent you can put yourself in the mind of the
7 extortionist and try to tell him --

8 MR. KOSTELLO: So --

9 MR. DePERNO: -- what you think they were
10 thinking at the time.

11 MR. KOSTELLO: -- Matt, your objections are form
12 and foundation. Form and foundation. That's it. It's
13 not speaking objections. It's not commenting on the
14 record. If you have an objection to the form, fine, you
15 can say object to the form. If you have an objection to
16 the foundation, you can say object to the foundation.
17 It's not a speaking objection after that.

18 BY MR. KOSTELLO:

19 Q. So can you answer the question?

20 MR. DePERNO: No. My objection was speculation.

21 MR. KOSTELLO: So that's okay. Calls for
22 speculation. Great. That's not a discovery deposition
23 objection.

24 BY MR. KOSTELLO:

25 Q. But can you answer the question?

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1 MR. DePERNO: And I will agree, for the record,
2 too, you are being a little bit hostile to the witness.

3 MR. KOSTELLO: I'm not at all.

4 MR. DePERNO: You have been. I haven't called
5 it out but you have been rolling your eyes a lot during
6 the answers. You do make a lot of head gestures. You do
7 make of a lot of offensive gestures to the witness while
8 he's answering, and it is bit unprofessional.

9 BY MR. KOSTELLO:

10 Q. Can you answer the question?

11 A. **Yeah. I can answer the question.**

12 Q. Okay. Answer it, please.

13 A. **Can you ask it one more time so I can --**

14 Q. Yeah.

15 A. **-- just make sure I'm answering correctly?**

16 Q. Wouldn't it have made much more sense, if the stated goal
17 of this whole extortion plot was to get you out of office
18 as opposed to what I suggested before -- simply Joe Gamrat
19 wanted you to stop having sex with his wife -- but if the
20 stated purpose of the extortion plot was get you out of
21 the office, wouldn't it have made more sense for
22 Mr. Allard, Mr. Cline, Mr. Graham, whoever, to have leaked
23 to the Press that it was you who sent out that extortion
24 email on May 21 as opposed to in August of 2015?

25 A. **It's because you don't understand -- and I'll answer your**

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1 question, I don't have a problem with that -- because you
2 don't understand anything about the political game and the
3 way it works, you want to act as though you're, you're
4 just an arrogant jerk, but what I'm trying to tell you is
5 the way that this works here, the way it works is they
6 wanted leverage over me. They didn't wanna go any further
7 than they had to. What they wanted to do is to own my
8 vote, so they don't want to remove you from office. They
9 want to extort you --

10 Q. Aah.

11 A. -- into being or in doing what they want you to do.

12 Q. Where, in the extortion texts, so I guess we'll refer to
13 Exhibit 1, does it talk anywhere about wanting you to vote
14 a certain way for anything, wanting to control your vote,
15 anything along those lines?

16 A. You asked me what I thought. That was my thinking.

17 Q. Okay. I'm just asking you in the extortion texts, where
18 did they ever say that? Did they ever say that?

19 A. The extortion texts say, four times, they want to remove
20 me from office and to resign --

21 Q. Right.

22 A. -- or they're going to release this information. That is
23 a ploy, if you understand. You want to know what I was
24 thinking. My thinking, when I read that, is because we
25 have legislation up for a billion dollars in tax

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1 increases. I'm one vote. I'm one vote that they're
2 trying to remove in that situation. I'm also somebody
3 that's interested and very focused on the idea of Flint
4 water. So this, to me, is getting leverage over me.
5 That's what they were attempting to do.

6 Now, you can roll your eyes again, but that's --

7 Q. I'm not rolling my eyes. I'm trying to process what
8 exactly it is you're telling me.

9 A. It's leverage. Do you understand leverage? Do you
10 understand what I'm saying? That's what I'm trying to
11 say.

12 Q. Okay.

13 A. That's all.

14 Q. When did you tell your wife about the affair?

15 MR. DePERNO: It's 1:30. We may need a break or
16 to get some lunch.

17 THE WITNESS: My sugar's shot, but --

18 MR. DePERNO: Yeah. I think you need to have
19 some lunch. And we're still waiting for any questions
20 that have anything to do with the lawsuit against the
21 Radisson. I'm starting to wonder why you're here, asking
22 these questions.

23 MR. KOSTELLO: It's a discovery deposition and I
24 can ask whatever it is I feel is relevant. So --

25 MR. DePERNO: I understand. I get it.

1 MR. KOSTELLO: -- I don't care if you understand
2 one way or the other. I don't expect you to. So let me
3 finish my questions. If we can just move on with this,
4 I'd appreciate that. If you really need a break, then
5 fine.

6 MR. DePERNO: Yeah. We're gonna take a break
7 now.

8 MR. KOSTELLO: Fine.

9 MR. DePERNO: I think at some point we may learn
10 why you're asking these questions and, and, and for whose
11 benefit you want to know this stuff for.

12 MR. KOSTELLO: Matt, I honestly don't care if
13 you understand one way or the other; okay? I don't. Not
14 in the least bit.

15 MR. DePERNO: And it's that attitude. I don't
16 understand why you're so hostile and angry.

17 MR. KOSTELLO: Because I don't need you to tell
18 me how to do my job; okay? So I honestly do not care why,
19 why you think I'm asking any of this; okay?

20 So we can either finish this right now or we can
21 take a half-hour break. That's fine, too; all right?
22 Whatever you prefer.

23 MR. DePERNO: Yeah. We've got -- it's 1:40. So
24 it's been three hours and forty minutes so far. I guess
25 you've got another --

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1 MR. KOSTELLO: Minus the breaks you took.

2 MR. DePERNO: -- I guess you got another three
3 hours and twenty minutes. But if you're gonna use -- if
4 you're gonna keep going, you said you didn't think you'd
5 go till 5:00, it seems like you are now --

6 MR. KOSTELLO: I wasn't planning on it.

7 MR. DePERNO: I think we need to take a break
8 for lunch.

9 MR. KOSTELLO: Well, I wasn't planning on going
10 till 5:00, so I mean we can either do that or we can --
11 and we can go off the record.

12 (At 1:41 to 2:25 p.m., recess taken.)

13 MR. KOSTELLO: Back on the record.

14 (At 2:25 p.m., Deposition Exhibit Number 5 was
15 marked.)

16 BY MR. KOSTELLO:

17 Q. Mr. Courser, let me show you what I've marked as Exhibit
18 5. I think you had referred earlier to an article by Chad
19 Livengood of the Detroit News that kinda, for the first
20 time, exposed the relationship and the email that we
21 previously discussed.

22 Is that that article that we were talking about
23 before?

24 A. Yes. I believe it is.

25 Q. And that's dated August 7, 2015; is that correct?

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1 **A. That is correct.**

2 Q. Okay. On that same day, August 7, 2015, the House
3 Speaker, Kevin Cotter, ordered an investigation into any,
4 whether any rules, house rules, were broken by either you
5 or Miss Gamrat; correct?

6 **A. I don't know if it was that day or not.**

7 Q. Right around the same time?

8 **A. That's my understanding. Yes.**

9 Q. Okay. And ultimately that investigation led to a very
10 large report that was issued by, I think it was Mr. Bolin,
11 Tim Bolin, with the Business Office; correct?

12 **A. Actually, the report was only a few pages; I think the**
13 **rest of it was the evidence that connected to it.**

14 Q. The exhibits; right? All right. And that report was
15 dated August 31, 2015.

16 At some point thereafter, and I believe it may
17 have been on September 10 of 2015, a panel of the House
18 recommended expulsion for both you and Ms. Gamrat; is that
19 correct?

20 **A. I believe so.**

21 Q. Okay. And what was the end result of that recommendation?

22 **A. I believe they voted, in the committee, to remove her and**
23 **I, and they voted I think three times from the House**
24 **floor, I believe it was three times they voted over the**
25 **next fourteen hours or maybe it was longer than that,**

1 whether or not to remove me from office, and then I think
2 it was at 3:00 a.m. or somewhere in there, I resigned from
3 office.

4 Q. How did that -- how does that work, though?

5 When you say three times, like was it the same
6 vote three times just taken at different points, or what?

7 When you say three times, like why would they
8 take three different votes?

9 A. Well, because they can only keep it up so long on the
10 board, so then it's the next day, so they had to do it
11 again. I'm not sure why that was. I believe there were
12 two before midnight. Then they put it back on the board
13 after that.

14 Q. Okay. And what was the stated reason for -- in an attempt
15 to expel you from the House?

16 A. I, I don't know. Are you wanting me to refer to a
17 document?

18 Q. Well, I would imagine you would have some sort of idea as
19 to why they were seeking to kick you out.

20 A. The, the idea with, with impeachment, it's in the
21 Constitution that they can remove a, they can remove a
22 legislator from office. There's specific criteria by
23 which the legislature can do that. They felt that they
24 met those criteria; I disagreed with that.

25 Q. Based on what? What was their rationale for believing

1 that they could expel you?

2 MR. DePERNO: Objection to speculation as to
3 what they felt.

4 **A. I have no idea what they were thinking.**

5 BY MR. KOSTELLO:

6 Q. Really?

7 **A. You'll have to ask Kevin Cotter, I guess, at that point.**

8 Q. Have you ever read the House report?

9 **A. Uh-huh.**

10 Q. That's a yes?

11 **A. Yes, I have.**

12 Q. So you are familiar with what it found; correct?

13 **A. Yes.**

14 Q. In your mind, were any of the findings of the House report
15 reason why you were ultimately expelled --

16 **A. That's not what you asked me.**

17 Q. -- or that they were seeking to expel you?

18 **A. That's not what you asked me.**

19 Q. What did I ask you?

20 **A. Why did they do it. That was the report from Tim Bowlin.**

21 Q. I said what was the stated reason that they were
22 attempting to expel you and Ms. Gamrat?

23 MR. DePERNO: That's not what you asked. You
24 asked why he -- what -- why they did it is what used.

25 BY MR. KOSTELLO:

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1 Q. What was the stated reason of their attempt to expel you
2 and Ms. Gamrat?

3 A. Well, you have the House report. I don't know if each one
4 of them would have their own stated reason. Are you
5 saying collectively as the House?

6 Q. Yes. Collectively as the House.

7 A. I'm not sure. You'd have to ask the collective of the
8 House.

9 Q. Okay. I assume that --

10 A. We have the report. The report was issued by the House
11 Business Office, the employee of Kevin Cotter, not the
12 normal channels for an official investigation that should
13 have been conducted by the clerk. Kevin Cotter wanted
14 control of it, so he had his own employee, Tim Bowlin, do
15 the investigation. Investigations are supposed to exist
16 in the Clerk, who is a separate, a separate official, not
17 under the, the Speaker of the House.

18 Q. The stated -- well, let me put it this way. Strike that.

19 The House report itself doesn't necessarily find
20 misconduct on your part for having an affair; right?

21 MR. DePERNO: Objection to the form of the
22 question. I don't think that's accurate.

23 BY MR. KOSTELLO:

24 Q. I mean the affair itself, it's not saying you should be
25 expelled because you were having an affair; right?

1 A. I mean what are you asking me? Are you asking me what the
2 report says?

3 Q. I'm asking you --

4 A. I'd have to refer to the report and review it.

5 Q. The report doesn't find any misconduct on your part or Ms.
6 Gamrat's part simply because you were having an
7 extramarital affair; right?

8 A. I'd have to refer to the report and reread it. I'm not
9 sure where you're going with that.

10 Q. It's a simple question. There were certain findings in
11 the report and one of those is not that you broke any
12 House rules, for example, by simply having an affair; can
13 we agree on that?

14 MR. DePERNO: I think I will object again. The
15 witness has said several times he's probably not
16 understanding your question. If you have a document to
17 show him, then --

18 MR. KOSTELLO: I don't need to show him any
19 document. It's pretty -- and, again, that's a speaking
20 objection. You can make a form and foundation objection,
21 but it's a pretty simple question and I'm sure, again, he
22 said he read the report.

23 BY MR. KOSTELLO:

24 Q. There's no finding that you broke any House rules simply
25 because of the fact you had an affair; right?

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1 MR. DePERNO: Objection to the form of the
2 question again. I don't think that's accurate as to what
3 the House reports says.

4 A. I'd have to refer to the report.

5 BY MR. KOSTELLO:

6 Q. Huh. Okay.

7 A. It's a big report. I think you have 800 hundred pages of
8 that plus the exhibits. So --

9 Q. You just told me that the report was only a few pages.

10 A. I know, but if you want me to read the report plus the
11 exhibits or if you just want me to read the report, I can
12 refer to it and see what Tim Bowlin said.

13 Q. The misconduct that was found in the House report related
14 to the attempts to cover up the fact that you were having
15 an affair; isn't that correct?

16 A. The misconduct in office, the removal from office, I don't
17 know -- the report states some certain things but that
18 isn't -- what the report says and what the committee
19 did -- are you referring to what Tim Bowlin wrote?

20 Q. I'm asking in the report, yes, what Tim Bowlin wrote.

21 A. Okay. So Tim Bowlin wrote a report and you wanna talk
22 about the report. Go ahead.

23 Q. Yeah. I thought I asked pretty straightforward questions.

24 Tim Bowlin's report found misconduct on your
25 part and Miss Gamrat's part related to the attempts to

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1 cover up the fact that you were having an affair; correct?

2 **A. I'd have to read it. I do remember Tim Bowlin, in the**
3 **reportings with the State Police, he said that the report**
4 **was done hastily. It was done -- he only had two weeks to**
5 **do it. Everybody wanted it done. He wasn't able to be**
6 **thorough with it and he was hoping there would be more**
7 **time, during the hearings, to go through that information.**

8 **Q. Do you recall reading, in the report, that Mr. Bowlin**
9 **indicated that Representative Todd Courser and**
10 **Representative Cindy Gamrat are not credible witnesses?**

11 Do you recall reading that?

12 **A. Yes. I do remember reading that.**

13 **Q. Do you recall reading, in the report, wherein Mr. Bowlin**
14 **said: Representative Courser and Representative Gamrat**
15 **committed misconduct in office that warrants further**
16 **investigation review by a select committee formed in House**
17 **Resolution 129?**

18 Do you recall that?

19 **A. I don't remember that.**

20 **Q. Mr. Bowlin goes on to state: While the affair itself was**
21 **primarily a personal, not official matter, the**
22 **Representatives abused their offices in attempting to**
23 **cover it up.**

24 Do you recall that?

25 **A. I remember -- I don't remember that exact language, but it**

1 sounds like the report.

2 Q. Okay. Do you recall the report saying that the evidence
3 demonstrates that both Representatives improperly used
4 State resources for political purposes?

5 A. I think he made that allegation. Yes.

6 Q. Okay. Do you recall it saying that the evidence
7 demonstrates both Representatives improperly used State
8 resources for personal purposes?

9 A. No. I don't remember that.

10 Q. Okay. Well, then they went on to give examples. One such
11 example is: There is testimony on audio evidence that
12 Representative Courser and Representative Gamrat required
13 their staff to meet during normal working hours to discuss
14 their affair in spite of numerous requests by the staff to
15 end the meeting and return to work.

16 Do you recall that statement?

17 MR. DePERNO: Objection also to the, to the
18 report --

19 MR. KOSTELLO: Form or foundation, Matt.

20 MR. DePERNO: Well, I'm trying to understand the
21 question.

22 MR. KOSTELLO: I'm just asking if he remembers
23 reading that in the report. It's a pretty easy question.

24 MR. DePERNO: Okay. I guess he's just asking if
25 you remember reading it.

1 A. Yes.

2 BY MR. KOSTELLO:

3 Q. Okay. Also, the next example: They were required to lie
4 about the Representatives' whereabouts, including to
5 family, to facilitate the secrecy of their romantic
6 meetings.

7 Do you recall reading that?

8 A. I remember after that, in that police audio recording,
9 that Bowlin stated that Allard was a liar --

10 Q. I'm just asking you if you remember reading that in the
11 report.

12 A. No. I'm telling you the context of it.

13 Q. And I'm --

14 A. I'm telling you the fullness of it.

15 Q. It's really just a question of whether you --

16 A. Yes. I remember reading it --

17 Q. Okay.

18 A. -- in the report. But, no, he said Allard's a liar,
19 shouldn't be trusted. He said he didn't believe anything
20 that Allard, Graham and Cline said, and told that to the
21 police.

22 Q. Do you recall the report saying: The evidence
23 demonstrates that Representative Courser improperly used
24 State resources for business purposes?

25 A. Yes. I remember the report saying that.

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1 Q. Okay. Do you recall reading this portion: Throughout
2 this investigation, Representative Courser and
3 Representative Gamrat both failed to appreciate that the
4 "blackmail" allegations have no bearing on whether they
5 engaged in misconduct or misused State resources?

6 Do you recall reading that?

7 **A. I do.**

8 Q. Do you understand what that means?

9 **A. I didn't know what he meant when he wrote it.**

10 Q. Okay.

11 **A. I know what it says.**

12 Q. Okay. You ultimately resigned on September 11, 2015?

13 **A. That's correct.**

14 Q. And Ms. Gamrat was expelled shortly after you resigned?

15 **A. Yes. That's correct.**

16 Q. Why is it you resigned?

17 **A. It was -- it -- there was no way that they were going to**
18 **stop, given that it was fourteen or sixteen hours of time**
19 **that we had been in the legislature. They were refusing**
20 **to let me use the restroom, and I have a heart condition,**
21 **so I was having to lay down in the back, they refused**
22 **medical treatment, so it was time.**

23 Q. What conduct is it that led you to be in that position at
24 that point, facing that expulsion from the House of
25 Representatives?

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1 Was it anything you did?

2 A. I guess I'm not sure what you're saying. If I'm facing
3 that, what are you, what are you referring to?

4 Q. Yeah. I'm sorry. Was it any conduct, in your mind, was
5 it any conduct on your part that led to those, that
6 expulsion procedure that was instituted against you, that
7 the House was trying to expel you from your position?

8 Was it any conduct on your part that led to
9 that?

10 A. I'm not, I'm not sure how to answer that.

11 Q. You don't know?

12 A. No, because I don't know what they were thinking when they
13 brought the report. So if the report is what turned into
14 the committee hearings which turned into the votes on the
15 floor --

16 Q. Let's assume that they were thinking what was contained in
17 the report, that is that you abused your office by trying
18 to cover up the fact that you were having an affair by
19 sending the, quote/unquote, false flag email, among other
20 things, that that's what they felt you did wrong.

21 MR. DePERNO: Objection to the form of the
22 question.

23 BY MR. KOSTELLO:

24 Q. Did any of your conduct lead to that point --

25 MR. DePERNO: Objection to the form of the

1 question.

2 BY MR. KOSTELLO:

3 Q. -- or was this the fault of others?

4 MR. DePERNO: You're requiring the witness to
5 make assumptions.

6 A. I, I mean I don't know -- you're saying what caused it or
7 what fault?

8 BY MR. KOSTELLO:

9 Q. Yeah. Was any conduct on your part the reason why you are
10 no longer a State Representative? How about that?

11 A. You're saying the reason why. I'm not sure what you mean.

12 Q. Really? Okay. I'll make this, try to make this as easy
13 as possible.

14 Did you do anything that led to your being
15 removed or you losing your job as a State Representative?

16 Was it any fault of yours?

17 A. Do I have -- you're saying do I have some responsibility
18 in that? Is that what you're asking for?

19 Q. I thought I was pretty clear when I was asking that
20 question. Yeah.

21 A. I'm not, I'm not sure what you mean.

22 Q. Yeah? Okay.

23 Whose fault was it that you're no longer a State
24 Representative?

25 A. I -- yeah -- I'm not sure. I mean you can -- there's a --

1 there were a lot of people involved in this.

2 Q. Okay.

3 A. So --

4 Q. Who were those people that played a part in the fact that
5 you're no longer a State Representative?

6 A. Well, I mean what I'm saying is you can, you can look at
7 the, the responsibility. Do I have some personal
8 failings? I do. Did I have an affair? We've already
9 covered that. If you want to continue to badger that
10 fact, it doesn't, it doesn't somehow negate your, you
11 know, your hotel from denying me my privacy, sending out
12 the information related to me being in your hotel, my
13 hotel room, letting people into my hotel room, letting
14 them plant bugs. You, you have some responsibility in
15 that as well. You're asking me --

16 Q. Okay. Let me --

17 A. No. You're asking me who has responsibility.

18 Q. Okay.

19 A. I think I can answer that. Stop cutting me off.

20 Q. I'm not cutting you off.

21 A. Well, stop rolling your eyes again.

22 Q. I'm not rolling. I haven't rolled my eyes once, so you
23 can stop with that; all right?

24 MR. DePERNO: Excuse me. Now you're yelling at
25 my -- now you're yelling at the witness and he's trying to

1 answer the question.

2 MR. KOSTELLO: No. He's not trying to answer
3 the question.

4 MR. DePERNO: You asked the question of who has
5 responsibility. He's answering the question by telling
6 you that your hotel has responsibility. You rolled your
7 eyes at him and then yelled at him.

8 MR. KOSTELLO: I didn't roll my eyes. You
9 weren't even looking, Matt. Come on.

10 MR. DePERNO: You then yelled at him and now
11 you're trying to cut him off from answering that question.
12 So let the witness finish answering the question of what
13 you asked.

14 BY MR. KOSTELLO:

15 Q. Go ahead. Go ahead.

16 A. Well, I'm assuming you're here representing the hotel, so,
17 you know, the hotel has some responsibility. When you
18 look through your manuals that you guys gave to me, it
19 says you're not supposed to hand out that information. It
20 says you're not supposed to give the information to anyone
21 that calls in. It says you're not to email that
22 information. It says you're not to give out the room
23 numbers of people and you're not to let them into the
24 rooms --

25 Q. How did that play a --

1 A. -- and you did.

2 Q. How did that play a role in you losing your job?

3 A. It assisted with the extortion. It allowed for the
4 taping, it allowed for the planting of the recording
5 devices.

6 Q. Okay. I just read you a quote from the report that
7 indicated that in Mr. Bowlin's opinion, you failed to
8 appreciate that the blackmail attempt had nothing to do
9 with the fact of you being brought up on charges in the
10 House.

11 Do you remember me just reading that?

12 A. Well, you're, you're reading from the report. I can tell
13 you that when he talked about it with the police, and we
14 can bring up those transcripts as well, he says something
15 completely contrary to that.

16 Q. What did the blackmail attempt, in your mind, the
17 quote/unquote blackmail or extortion attempt, how did that
18 play any role in the House of Representatives seeking to
19 remove you from office?

20 A. I'm not sure I'm supposed to answer that, so do you wanna
21 rephrase that?

22 Q. No. It just doesn't sound like you have an answer to it.

23 MR. DePERNO: Well, he did ask you to rephrase
24 it.

25 BY MR. KOSTELLO:

1 Q. I can repeat it because it was a really, really clear
2 question.

3 A. Go ahead and repeat it.

4 MR. KOSTELLO: You can reread it, please.

5 (At 2:45 p.m., record repeated by reporter as
6 follows: "Q. What did the blackmail attempt, in
7 your mind, the quote/unquote blackmail or
8 extortion attempt, how did that play any roll in
9 the House of Representatives seeking to remove
10 you from office?")

11 A. Well, obviously it was by their staff members that were
12 involved in it and they were providing the information.
13 We attempted to, to obviously get some correction from the
14 House Business Office. We attempted to do that through
15 Tim Bowlin. We attempted to let him know about the sexual
16 harassment. We attempted to let him know about the
17 pornography. So then all this happens with the extortion
18 texts from the information related to really Tim Bowlin's,
19 Tim Bowlin's employees. So Tim Bowlin writes a report
20 that's pretty self-serving, you know? Because he doesn't
21 really wanna confront the fact that he dropped the ball
22 on, on really reassigning these people, or addressing it.

23 So if you're asking me what my thinking is in
24 regards to that, that's how, you know, that's how that all
25 precipitated. If this doesn't happen, this doesn't

1 happen. If that doesn't happen, then this doesn't happen
2 and the report doesn't happen.

3 BY MR. KOSTELLO:

4 Q. If what doesn't happen? What was the first thing you said
5 if that doesn't happen?

6 A. The extortion texts.

7 Q. Okay.

8 A. If you don't have people in my emails and in my hotel room
9 and you don't have your hotel giving up that information,
10 then you don't have recordings being made and you don't
11 have bugs being planted. And if you don't have that,
12 there's no evidence or there's no information they can put
13 in extortion texts to try and get leverage on me. They
14 can't do that.

15 Tim Bowlin left them in office, in that spot, so
16 that they would continue to do what they were doing. Ann
17 Hill stated to Tim Bowlin these people are trying to,
18 they're trying to destroy you.

19 Q. Was the Radisson Hotel the only place that you and Ms.
20 Gamrat ever had sex?

21 A. No. There was, I believe there was another hotel as well.

22 Q. Okay. Where was that?

23 A. I don't remember.

24 Q. And so those two hotels are the only places you ever had
25 sex?

1 A. I, I can't remember.

2 Q. Fair to -- safe to say there are probably other places?

3 A. There, yeah, there may have been.

4 Q. Yeah.

5 A. I don't know. It's been five years now.

6 Q. Okay. Let's talk about the audio recordings that you

7 claim were made at the Radisson.

8 Have you ever heard any such recording?

9 A. I've not. I only have the information from --

10 Q. It's either --

11 A. -- the extortion texts.

12 Q. It's either yes or no.

13 A. I have not. I only have the information from Joe Gamrat,

14 and between Allard, Graham and Cline, where they say let's

15 wait until Joe gets video. When Joe gets video, then

16 we'll come out with it.

17 Q. So no one ever sent you a recording saying, hey, this is

18 what I've got on you; fair statement?

19 A. They sent me a text message saying we have audio.

20 Q. You know what? This will go a lot, a lot quicker, really,

21 it'll go a lot quicker if you listen, if you listen.

22 A. In your question --

23 Q. I don't care what the text messages say. That wasn't my

24 question, sir. If you want to listen really closely to

25 what you're -- you're a bright guy, obviously. So if you

1 want to listen to the question I've asked you and answer
2 that question, this will go a lot quicker.

3 **A. Okay.**

4 Q. So here's my question to you. Were you ever sent -- by
5 text, by email, in the mail, by way of a CD or a flash
6 drive -- any recording that was purportedly taken at the
7 Radisson?

8 **A. No. I have --**

9 Q. Okay. There's your answer.

10 **A. I have text messages that say there was a recording --**

11 Q. Okay.

12 **A. -- at the Radisson.**

13 Q. Okay. And so you just take that as they exist then?

14 **A. And their conversations that say there was.**

15 Q. Okay. That's all? Really?

16 **A. Keep smiling and rolling your eyes. Keep doing it.**

17 Q. So that's it. So you're basing this on, your idea that
18 there were recordings --

19 **A. I'm gonna use the restroom.**

20 Q. We just --

21 **A. Yeah.**

22 Q. So this is how we're gonna go? We're gonna go ten
23 minutes, take a break?

24 **A. Well, you can come in and make sure I'm going to the**
25 **bathroom, if you want.**

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1 MR. KOSTELLO: Off the record.

2 (At 2:49 to 2:50 p.m. recess taken.)

3 MR. KOSTELLO: Back on the record.

4 BY MR. KOSTELLO:

5 Q. Okay. So we established that you were never texted,
6 emailed or sent any recording that was purportedly taken
7 at the Radisson Hotel.

8 During the course of the investigation by the
9 Michigan State Police into your extortion complaint, did
10 they ever recover, from Mr. Gamrat or Mr. Horr, any
11 recordings that were made at the Radisson Hotel?

12 A. None that -- they never provided me with one. I don't
13 know that they recovered it or not.

14 Q. Okay. Did you see -- you've read the report, I take it?

15 A. Yes.

16 Q. Okay. Is there anywhere, in that Michigan State Police
17 Report, any indication that they recovered any recording
18 that was taken at the Radisson Hotel?

19 A. I, I don't know.

20 Q. Okay. Who exactly is it --

21 A. I think there were three reports, so you'd have to tell me
22 which report specifically.

23 Q. Any of the reports.

24 A. Not that I'm aware of.

25 Q. Okay. Do you have any theory on exactly who it was that

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1 was planting recording devices inside of -- was it I take
2 it your rooms at the hotel?

3 A. It was my room at the hotel.

4 Q. Yeah. And so who was planting those recording devices?

5 A. Well, we have it from Joe Gamrat that he had the audio.

6 We also know that he had pictures from there as well.

7 Q. Okay. So was it Joe Gamrat that was planting the
8 recording devices?

9 A. I don't know who planted it. I wasn't there.

10 Q. Okay. So here's my question to you. Who --

11 A. You guys let him in. You would have the keycards to know
12 that. So why don't you just pull up the keycards, maybe
13 turn over the phone records, maybe turn --

14 Q. Why don't you just listen to my question and answer my --

15 A. -- and maybe turn over the emails, maybe turn over the
16 texts.

17 Q. Why don't you answer my, why don't you answer my
18 questions; okay?

19 A. We haven't been given the evidence from your hotel so if
20 you want to ask me questions about your hotel, you haven't
21 provided the evidence.

22 MR. DePERNO: That's actually -- I'll interject
23 on that -- that's actually a fair objection by the witness
24 because we're proceeding in this objection or we're --

25 MR. KOSTELLO: Matt, you cannot make speaking

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1 objections -- period, end of story. That is the rules.
2 You know the federal rules. It is form. It is
3 foundation. This is a discovery deposition. It is form.
4 It is foundation. It is not your place to put anything on
5 the record beyond that; okay? So stop it.

6 MR. DePERNO: Well, I --

7 MR. KOSTELLO: Stop it.

8 MR. DePERNO: -- I can make an objection.

9 MR. KOSTELLO: You can make an objection to the
10 form of the question or the foundation. That is all.

11 MR. DePERNO: And I can explain my objection.
12 I'm objecting to the form of the question because you're
13 asking him about information that you have refused to
14 produce.

15 MR. KOSTELLO: Absolutely not.

16 MR. DePERNO: That's absolutely true.

17 MR. KOSTELLO: I have asked him what is his
18 theory -- it was a real simple question -- of who does he
19 believe planted the recording devices.

20 **THE WITNESS: You never asked me theory.**

21 BY MR. KOSTELLO:

22 Q. I asked you who do you believe --

23 A. You asked who did it.

24 Q. Who did it? Who do you believe did it?

25 A. I said I wasn't there.

1 Q. Okay. There you go. Question answered.

2 How was it accomplished?

3 **A. I said I wasn't there.**

4 Q. Right. So we don't -- you don't know who did it, you
5 don't know how it was accomplished, you never actually
6 heard any recordings. That's what we've established so
7 far; right?

8 Have you seen a transcript of any recording
9 typed out like this is exactly what was said on the
10 recording?

11 **A. No. You're kind of badgering me again. I said --**

12 Q. I'm really not badgering you.

13 **A. -- it was only between Joe Gamrat and the other people**
14 **involved where they discussed the recording, including**
15 **Allard, Graham and Cline and, and David Horr. Those are**
16 **text messages that you already have.**

17 Q. Right. And we already established that Mr. Gamrat made
18 recordings by planting them, by planting recording devices
19 in Ms. Gamrat's vehicle; correct?

20 **A. We established that he, he planted those in his -- in her**
21 **vehicle.**

22 Q. Right. And you were in her vehicle at times, I take it;
23 right?

24 **A. Rarely.**

25 Q. Okay. Were you ever in her vehicle?

1 A. Yes.

2 Q. Okay. So it is possible, then, that you were captured on
3 recordings made by Joseph Gamrat in Cindy Gamrat's
4 vehicle; correct?

5 A. Yes.

6 Q. Okay. By the way, were you ever involved in any effort to
7 place a GPS tracking device on Mr. Gamrat's vehicle?

8 A. No. I did not do that.

9 Q. You didn't ask Ike Eickholdt to do that?

10 A. Ike Eickholdt was not, to my knowledge, involved in any of
11 that. I was aware of the fact that there was a tracking
12 device. I was aware of the fact that Cindy was working to
13 get a tracking device to try and deal with the fact that
14 her husband was doing this to her.

15 Q. But you weren't involved in that effort at all?

16 A. As I said, I was aware that it happened. I was aware that
17 -- I don't know where she purchased it. I think it was a
18 place called Brick House Security, but I don't know the
19 details of how that all, how that all transpired.

20 There was some allegation that I was the one
21 that planted a tracking device on his vehicle, and that
22 wasn't true.

23 Q. Michigan State Police interviewed Emanuel Eickholdt, Ike
24 Eickholdt, and the report says this: Eickholdt advised
25 that a few years ago Courser had asked him to place a

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1 Spark Nano GPS unit on the boyfriend of Melissa
2 Caminetti's car.

3 Did you ever do that?

4 **A. We had a discussion about that.**

5 Q. And did he do it?

6 **A. I believe he did, but I'm not sure.**

7 Q. What was the, what was the purpose of placing a Spark Nano
8 GPS unit on Melissa Caminetti's boyfriend's car?

9 **A. I don't know. You'd have to talk to Ike about that.**

10 Q. Well, you asked him to do it.

11 **A. No. I didn't ask him to do it. I said we had a**
12 **discussion about that.**

13 Q. Okay. So when he said that you asked him to do it, he's
14 lying to the Michigan State Police?

15 **A. No. I'm not saying he's lying. I don't know his**
16 **recollection. I'd have to talk to him. That's been a**
17 **long -- that's been at least twelve years ago, maybe**
18 **longer.**

19 Q. Okay. Eickholdt advised that Courser contacted him in
20 late June 2015 about getting the Spark Nano up and running
21 again and Eickholdt sent Courser the information; is that
22 true?

23 **A. I don't remember that, but it might be.**

24 Q. Okay. So why would you have been asking him, in June of
25 2015, to get the GPS unit up and running again?

1 A. I don't know. I would have to --

2 Q. Was it to track Mr. Gamrat?

3 A. No. There was no -- I didn't use any tracking device on

4 Joe Gamrat.

5 Q. So who would you have been tracking in June of 2015?

6 A. Tracking devices are used for all sorts of reasons.

7 Q. Like what?

8 A. Like putting it on your own extra vehicle, putting it on

9 your own vehicle.

10 Q. Well, why would you be doing -- why would you be tracking

11 your own vehicle?

12 A. Well, maybe you want somebody else to know where you're

13 at.

14 Q. Okay. So in June of 2015, who did you want to track;

15 yourself? Were you tracking yourself?

16 A. No. I didn't place that on anybody's vehicle.

17 Q. Okay. So, again, why were you asking him to get it up and

18 running again in June of 2015?

19 A. I'm not sure.

20 Q. You can't remember?

21 A. No. But it wasn't -- that one was not used on Joe

22 Gamrat's vehicle.

23 Q. It was another one, just coincidentally, another tracking

24 device?

25 A. I think that's already been established, in depositions,

1 how that went down. Do you have anything to suggest that
2 I did? Do you have a picture or anything that shows that
3 I put it on his vehicle or something?

4 Q. I'm not here answering questions.

5 A. Well, I'm just asking. If you're gonna say that I did it,
6 at least provide some evidence to show that I did it.

7 Q. I'm not saying you did it. I'm asking you about it. You
8 obviously asked Mr. Eickholdt to get the GPS unit up and
9 running and then, all of a sudden, there's one found, less
10 than a month later, on Mr. Gamrat's vehicle in July of
11 2015.

12 A. And so if that was found on his vehicle, are you saying
13 that I did it?

14 Q. I'm not saying anything. I'm asking you about it. It
15 seems just coincidental to me. Maybe it is.

16 A. Yeah. That's what it is.

17 Q. Okay. Sure.

18 So going back to the recording, did you ever
19 find, during any of your stays at the Radisson Hotel,
20 evidence of any recording devices in any of your rooms?

21 A. No.

22 Q. Okay. Did you see anyone coming in and out of your rooms
23 at any time that looked suspicious?

24 A. No.

25 Q. Okay. When did you start staying at the Radisson Hotel

1 for business purposes?

2 A. I believe they had a stay there for an orientation I think
3 in November or December, and I think that started the
4 process of me staying at the Radisson.

5 Q. Okay.

6 A. And if rooms were available, then I would stay there; if
7 they weren't, I wouldn't.

8 Q. And then, I'm sorry, where would you stay if you couldn't
9 stay at the Radisson?

10 A. Wherever you could get it. I mean obviously Lansing has a
11 lot of hotels, but if games are happening or whatever,
12 it's difficult sometimes to get rooms --

13 Q. Well, where was your --

14 A. -- near the Capitol.

15 Q. Where was your next go-to after the Radisson?

16 A. There wasn't one. I don't think I stayed at another place
17 twice.

18 Q. Okay.

19 A. It was just if I could find a room to sleep is how that
20 went down.

21 Q. So you went to that orientation after your election, I
22 take it?

23 A. Yes.

24 Q. And that was still in 2014, sometime shortly after the
25 election?

1 A. I, like I said, I think it was in November or December.

2 Q. Okay. So then the next time you would have been up there
3 was after you took office, I take it?

4 A. I don't know.

5 Q. Okay. Well --

6 A. You have the records. I mean you could, you could show us
7 when I was there.

8 Q. I'm asking you.

9 A. Well, if you had the records and you put it in front of
10 me, I'd be happy to review it.

11 Q. I'm just asking you your recollection.

12 A. If you have the reservations, we could look at that.

13 Q. I'm asking you your recollection.

14 A. I'm trying to tell you if you could refresh my memory with
15 your records, it would help.

16 MR. DePERNO: Well, they don't wanna give you
17 the records, so we're proceeding in this deposition before
18 they give you the records --

19 MR. KOSTELLO: It really --

20 MR. DePERNO: -- so that then they can sanitize
21 the records based on what you say.

22 THE WITNESS: Don't be so cynical.

23 MR. KOSTELLO: Yeah. Everything's a conspiracy
24 theory; huh?

25 MR. DePERNO: Well, if it wasn't, you would give

1 us the records before the deposition, but you wanted to do
2 the deposition today before you gave us all the records,
3 because you don't want him to have all the information
4 when he testifies.

5 MR. KOSTELLO: That's exactly it. You got it.
6 You've, you're really hit the nail on the head. You are
7 so brilliant.

8 MR. DePERNO: Well, I don't know whether -- I've
9 never seen someone not give records that are pretty, I
10 guess, in your view, inconsequential unless they're
11 consequential.

12 MR. KOSTELLO: You were given the opportunity, a
13 Protective Order was sent to you by Mr. Hicks, and my
14 understanding is you never made revisions to it to send it
15 back to him to get it signed.

16 MR. DePERNO: False. But regardless, do you
17 think --

18 MR. KOSTELLO: I'm not having this conversation
19 with you. I'm asking questions.

20 MR. DePERNO: Do you think that you can withhold
21 documents --

22 MR. KOSTELLO: I'm not here to answer questions.

23 MR. DePERNO: -- because you want a Protective
24 Order? What court rule says that?

25 MR. KOSTELLO: I'm not here to debate you.

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1 MR. DePERNO: Give me a court rule.

2 MR. KOSTELLO: I'm not here to debate you; okay?
3 I'm here to ask questions, so you and I aren't talking.

4 MR. DePERNO: Well, we are. I'm asking you what
5 court rule.

6 MR. KOSTELLO: I'm not answering any questions.
7 I am taking my deposition; okay? Good Lord.

8 BY MR. KOSTELLO:

9 Q. At some point -- how often -- you were at the Radisson as
10 much as you could be; that was your go-to hotel; correct?

11 A. I didn't prefer that hotel, but sure.

12 Q. Well, which one did you prefer?

13 A. Not that one. I didn't really care for that spot.

14 Q. Okay. So where else? Where did you prefer?

15 A. Well, no. It was just, it was just too, it was too
16 Lansing. I'm not really -- I don't really like the city
17 so much.

18 Q. So why'd you stay there then?

19 A. Well, because they gave you a great rate and it was right
20 next to the, the, the House Business -- what do they call
21 that -- the HOB, I think it was, the House Business
22 Office, I think is what it's called.

23 Q. So it's fair to say, though, that when you stayed there
24 for business purposes, you stayed at the Radisson?

25 A. Well, that isn't what you asked, but yes, that's true.

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1 Q. It is kinda what I asked, but whatever.

2 A. You did it again. You're rolling your eyes. It's just
3 unprofessional; okay?

4 Q. If you'd answer a question straight and actually listen to
5 my questions and answer them -- okay -- then maybe I
6 wouldn't --

7 A. Well, ask them straight.

8 Q. I've asked them very straight, sir. You just are
9 incapable of answering anything straight. Let's move on;
10 okay?

11 At some point --

12 A. It's unprofessional to do it.

13 Q. That's great. That's great.

14 A. It is.

15 Q. Fine. That's great; okay?

16 A. Okay.

17 Q. All right?

18 A. Just ask the question. All you gotta do is ask it and
19 I'll answer it.

20 Q. I've been asking the questions. Answer the questions that
21 I'm asking rather than some --

22 A. Okay. Okay.

23 Q. Okay?

24 A. Try to, try to answer [sic] it specifically and then I'll
25 try to answer it specifically --

1 Q. Okay.

2 A. -- or ask it specifically and then I'll answer it
3 specifically.

4 Q. During the course of your time staying at the Radisson,
5 did you get to know any of the, the hotel management?

6 A. I believe there were two or three hotel managers.

7 Q. Okay. And did you know any of them by name?

8 A. I don't know them by name.

9 Q. Was there anyone that you saw or dealt with more often
10 than the others?

11 A. I actually met with I believe all three of them about the
12 issues related to the hotel.

13 Q. And what were the issues related to the hotel that you --

14 A. I mean you could tell me the names of the hotel managers.

15 Q. I'm not here to answer your questions, sir. Again, if you
16 just answer the questions, okay? If you don't know the
17 names, you know what your answer is? I don't know; okay?
18 Or I don't remember or maybe his name was Bob, you know,
19 maybe I remember seeing it was Steve. I don't know. Just
20 answer it; okay? If it's I don't know, then it's I don't
21 know; okay?

22 So here's the next question; okay? If you want
23 to get through this, can you just answer the questions
24 that I'm asking you?

25 A. Yeah. I'm good.

1 Q. Okay. So what were the issues that you raised with hotel
2 management during the course of your stays there?

3 A. Well, the issues were that they were sending my -- they
4 revealed to me that they were sending my invoices first to
5 the House of Representatives, which was incorrect.

6 Apparently there was some confusion related to the House
7 of Representatives paying the bill because they paid for
8 the first -- the --

9 Q. The initial stay for the orientation?

10 A. (Nodding head affirmatively.) So they had, they had --

11 Q. Correct?

12 A. Yes, the initial stay for the orientation.

13 Q. Okay.

14 A. So they had connected to me as the payor being the House
15 of Representatives.

16 Q. Okay. So that stay was arranged -- was it arranged for by
17 the House of Representatives and they paid for it?

18 A. I don't know who arranged it, but --

19 Q. But they paid for it, nonetheless?

20 A. My understanding was they paid for it.

21 Q. So the Radisson, the hotel billed the House of Representatives
22 directly for that stay in November/December of 2014?

23 A. I believe so.

24 Q. Okay. So then in your subsequent stays after that, a fair
25 statement that there may have been some confusion on the

1 part of the hotel as to who the bill should go to, the
2 House of Representatives like it was the first time versus
3 yourself personally?

4 **A. Correct.**

5 Q. Were your hotel stays reimbursed as part of some expense
6 reimbursement by the House of Representatives?

7 **A. No. From that point on, then they were billed to me.**

8 Q. And you were responsible for -- so if you were coming up
9 here to Lansing or coming up to Lansing to stay for any
10 given period of time to attend sessions at the House, you
11 had to pay for that out of your pocket?

12 **A. We did. And that's what the expense account was for that**
13 **I already explained to you.**

14 Q. The \$10,000?

15 **A. Yes. I believe it was \$10,000.**

16 Q. It was meant to reimburse for those sort of things?

17 **A. Yes.**

18 Q. But it was up to you to keep track of it and not go over
19 that amount, or if you did go over that amount, it came
20 out of your pocket?

21 **A. That's correct.**

22 Q. Okay. So after that initial stay in November or December,
23 the next stay, did the invoice go to the House of
24 Representatives instead of you?

25 **A. Well, I don't know. You'd have to check your invoicing.**

1 I don't know if it was the next stay or not.

2 Q. Okay. At some point you realized that invoices were going
3 to the House of Representatives instead of you?

4 A. Tim -- I believe it was Tim Bowlin contacted me, saying
5 they're getting invoices for me, I believe that's how it
6 went, and I was supposed to contact the hotel to
7 straighten that out.

8 Q. Were you not also getting invoices handed to you when you
9 checked out?

10 A. I can't remember. I believe I got invoices. I don't know
11 if they gave me a physical invoice or not because you
12 don't leave or you just kinda leave -- you just -- you
13 know? When you walk out of the hotel, you, you close your
14 door and your bags, you take your bags down to your car
15 and you get in. You don't say, hey, I'm checking out.

16 Q. Well, that's an option.

17 Another option is to stop at the desk and get an
18 invoice --

19 A. Yeah.

20 Q. -- if one's not placed under your door, which sometimes
21 happens in hotels; agreed?

22 A. Yeah. They put it under your door each night.

23 Q. Yeah. So if I don't get one when I stay at a hotel, if I
24 don't get one under the door, I'll generally stop by, when
25 I'm leaving, hand them the keys and ask for an invoice.

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1 A. If I remember correctly, the invoice --

2 MR. DePERNO: Objection. I don't think we care
3 what counsel does when he's checking out.

4 MR. KOSTELLO: No. I was gonna ask him if that
5 was his practice. He just started talking.

6 BY MR. KOSTELLO:

7 Q. So is that something you would do if you didn't get one
8 under the door?

9 A. Do what?

10 Q. Stop by the front desk and get one or were there times you
11 just walked out of there without an invoice?

12 A. I believe the invoices were under the door.

13 Q. Okay. But then they were getting emailed, apparently, to
14 the House of Representatives for a period of time?

15 A. That's my, yes, that's my understanding.

16 Q. And you learned of that because Tim Bowlin told you that?

17 A. I, I believe it was the House Business Office. Yes.

18 Q. So then I take it one of the times you had an occasion to
19 meet with a manager or managers there was to ask them why
20 that was happening and ask that it be changed?

21 A. Yes. I believe that's how that went.

22 Q. And do you recall what the substance of that conversation
23 was?

24 A. That there was, there was an issue related to that. I
25 don't remember the substance of it other than I think you

1 have the wrong billing on that, let's change the credit
2 card.

3 Q. And was it rectified at that point?

4 A. Yes, I believe it was.

5 Q. So you had to give them some new credit card information?

6 A. No. It seemed like there was actually still some
7 confusion, like they attempted to bill the House even
8 after that.

9 Q. Okay.

10 A. Because I think I spoke to Kevin Cotter after that, on the
11 House floor, and he said that there was still an issue
12 with that.

13 Q. Okay. At some point did it get changed?

14 A. Yes, I believe so.

15 Q. Okay. And did you start receiving invoices to your email?

16 A. No. I gave them my email and they were sending the, the
17 invoices to another email.

18 Q. What email were they sending the invoices to?

19 A. Joe Gamrat.

20 Q. Okay. So they -- and how do you know that?

21 A. Because Joe Gamrat says it in his deposition.

22 Q. Did you know that at the time?

23 A. No. I did not know that at the time.

24 Q. Did they ever tell you that, hey, here's the email address
25 we have on file?

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1 A. No. They refused to tell me the email address, even
2 though I gave them the correct one. I said you're sending
3 my invoices and my credit card information to someone, and
4 they refused to give me the information.

5 Q. And what was -- why did they tell you they wouldn't give
6 you the information?

7 A. They just said for privacy, they can't but it's corrected;
8 but it wasn't corrected.

9 Q. Okay. Did it get corrected at some point?

10 A. It did. They, they attempted to put my name, is what they
11 told me, and then I met with them again, because obviously
12 it was after that February 12th incident, and I said, hey,
13 somebody knows my hotel room and they're getting that
14 information and so somebody here at the hotel is giving
15 out that information.

16 And they said no, that doesn't happen, nobody
17 gets your hotel information, nobody gets your room
18 information, and so then we found out that they were still
19 sending my stuff to a different email.

20 So I met with, met with them in the back. I can
21 even remember the office. And they said that they were
22 gonna place my actual profile under some sort of assumed
23 name. They were going to give me a fictitious name. That
24 way somebody that called in wouldn't be able to access and
25 find out what room I was in, which I said okay, that's

1 fine. And then it still continued to happen.

2 And then obviously those emails were going to
3 what Joe Gamrat says, he just called in and had them
4 change my, my profile so that they were sending the emails
5 to an email address he set up.

6 Q. Okay. Did it get corrected to where you were, in fact,
7 receiving emails with your hotel information?

8 A. Yeah. She sent the whole -- your -- somebody from your
9 service or from the hotel service, excuse me, sent a whole
10 batch of them because I had not received any of those, and
11 then she sent all of them, I believe, and it was really
12 like on a day, she sent all of them.

13 Q. Were you enrolled in any sort of Radisson Rewards Program
14 where you were getting points?

15 A. Yes. I had some sort of portfolio thing portal and
16 apparently that had been compromised as well.

17 Q. Okay. So did you ever contact anyone to try to get that
18 issue resolved? For example, I don't know, like --

19 A. That was the multiple times that I met with the hotel
20 manager. The first manager got moved out East, then they
21 brought in a new manager, and they said, well, they rotate
22 these managers, because obviously they're, you know,
23 moving them up, I mean however that works, and so then
24 they brought in another manager.

25 So you kinda had one person dealing with it, you

1 think you got it straight, and then the new management
2 came in and, and now it's back to being screwed up again.

3 Q. Okay. Did you ever -- were you ever directed to call a
4 phone number, to talk to someone centrally?

5 A. I think that's how I ended up getting the actual, the
6 actual receipts or the invoices.

7 Q. And they were ultimately all sent to you?

8 A. I don't know about all of them but the batch that I had,
9 the ones that were sent to me are the ones with my name on
10 them, not the ones that they did under some sort of
11 fictitious name. So I don't know if they corrected all
12 that to make it just with my name or how the portfolio --
13 I don't know what your system does with that.

14 Q. How many meetings did you have with the managers or a
15 manager at the Radisson Hotel?

16 A. It was actually a hotel manager. It was not the lines
17 manager or the desk manager. And I believe there were
18 five different times that I met with them. Cindy met with
19 them my understanding was -- I don't know if she met with
20 the hotel manager -- but she met with managers as well and
21 they placed her name under a different name, Susan Dey --

22 Q. Or Sally Fields?

23 A. -- Sally Fields, and I think one other that was some other
24 name that they had for her.

25 Q. Okay. The five times that you believe you met with a

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1 manager or managers at the Radisson, were the
2 conversations all about the same issues, that is this
3 issue about your account, the email being incorrect?

4 A. Well, and the fact that by that point we knew that someone
5 was accessing my hotel room and that somebody was in my
6 hotel room, but it wasn't until later, with the texts,
7 that we realized that somebody was in my hotel room and
8 taking pictures of the hotel room and giving some sort of
9 feedback. That all came later.

10 Q. So let's go back to the, let's go to the first time you
11 raised an issue about your account with a manager there.

12 Did you tell me that was sometime after the
13 February incident where Joe Gamrat was found at the hotel?

14 A. Well, we already discussed that at the beginning of the
15 deposition, that he was found at the hotel on February
16 12th, and that's where you were trying to say, well, when
17 did he know. Well, I don't know when he knew, but he
18 obviously was at the hotel on February 12th and had a
19 confrontation with her.

20 Q. Presumably because he believed she was having an affair?

21 A. So prior to that is probably when he knew.

22 Q. Right. That wasn't my question though.

23 A. Well, I know, but you're asking me, you're asking me --

24 Q. My question is the first meeting you had with a manager --
25 again, just let me finish; okay?

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1 A. Yeah. Okay.

2 Q. The first meeting you had with a manager at the hotel
3 regarding your account information occurred after that
4 February incident with Mr. Gamrat?

5 A. No. I don't, I don't think so. I think that it was right
6 around that same time, it might've been before that, but
7 it was related to the issues not with that, it was related
8 to the issues with the billing for the House of
9 Representatives.

10 Q. Oh, okay.

11 A. So you're trying to say it wasn't till after that. I'm
12 trying to tell you that there was a time before that that
13 we had an issue, then we had the issues with Joe Gamrat
14 where he clearly was getting information from the hotel,
15 then I had a series of meetings with the hotel management.

16 Q. That's all I'm trying to establish here. I got it. Okay.

17 So the first, the first meeting was about the
18 House of Representatives being billed; okay?

19 A. Billed.

20 Q. Billed. Yes.

21 So then the incident in February with Mr. Gamrat
22 happens; then you have a second meeting with a hotel
23 manager after that point?

24 A. Yes.

25 Q. Okay. And the purpose of that meeting was to discuss your

1 account information and whether or not the email that they
2 had was correct and whether someone else was getting
3 information regarding your stays; is that fair?

4 A. So, no, it's not fair. If you want me to explain, I'm
5 just trying to explain; okay?

6 Q. All right.

7 A. So at that initial meeting, I say, hey, look, get the
8 bills to me so I can pay them. I don't want them going to
9 the House of Representatives.

10 Q. Yeah. Got that. Tell me about the second meeting.

11 A. So then they say we'll email to ya, we're gonna send them
12 to ya; okay? I'll have somebody take care it, they'll
13 compile them, they'll get it straightened out with the
14 House of Representatives and they'll redo them so that
15 they're gonna bill you. I said okay, wonderful.

16 They went to an email that wasn't mine. That's
17 when we started to figure out they're not coming to my
18 email; they're going to someone else's email.

19 Q. Okay.

20 A. So they had somebody else's email on my account which was
21 telling them the reservation information, apparently the
22 check-in information, he got there at 7:51 a.m., he left
23 at such-and-such a time. All of that information we saw
24 later in the texts that said that somebody or somehow they
25 were getting that information from the hotel. Those

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1 meetings -- I didn't have any of that information. I just
2 knew that my, my statements were being emailed to someone
3 that wasn't me. They wouldn't tell me who. But I did
4 know on February 12th that they were giving out my room
5 number at that point. So --

6 Q. Well, how do you know that?

7 A. Well, because it says in the text messages.

8 Q. That he got the room number from the hotel?

9 A. Yeah. That he called up and you guys gave him the, the
10 room number.

11 Q. It says in the text messages from Joe Gamrat's phone?

12 A. He says it in the deposition that he would just call up
13 and ask.

14 Q. You said it said it in the text messages.

15 A. Well, excuse me. In the text of the deposition.

16 Q. The text messages -- okay.

17 A. I'm gonna go to the restroom again. So --

18 (At 3:18 to 3:21 p.m. recess taken.)

19 MR. KOSTELLO: Back on the record.

20 BY MR. KOSTELLO:

21 Q. So of the five total meetings you had, the first one was
22 about the House of Representatives being invoiced, the
23 next three may have been about the email situation about
24 someone else getting these invoices or information, and
25 then the last one was after the text messages started

1 coming and you believe that someone was getting access to
2 your room?

3 A. Yeah. I believe, yeah, somebody was getting --

4 Q. Okay.

5 A. But it wasn't really -- because there was some confusion
6 with management because there were multiple hotel managers
7 as well.

8 Q. Okay. Yeah. I mean, well, when you say confusion, what
9 was the confusion in your mind?

10 A. Well, they didn't know, apparently, that we were having
11 that issue, so there should've been a report, but the
12 stuff you guys delivered didn't have the reports in it,
13 from when I had the incidents with, you know, when we
14 discussed it with hotel management. So, so, you know,
15 those reports obviously would have told us who those
16 managers were that I met with.

17 Q. Okay. The last, the last meeting where you spoke to a
18 manager about, you know, people getting access to your
19 room, do you recall when specifically that took place?

20 A. No, I don't. It was obviously after the texts were
21 coming.

22 Q. So sometime after May 19 of 2015?

23 A. Well, I believe so, but I mean at that point I thought
24 that they had addressed it because they were saying they
25 were gonna put it under some sort of protection with the

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1 hotel and nobody's gonna know and, you know, so they would
2 have no access to my portal and, you know, but they
3 changed the email multiple times. So there were a lot of
4 issues related to somebody getting access to the
5 information, so it wasn't just about the idea of somebody
6 getting access to my room. It was the idea that they were
7 getting access to the portfolio at the hotel, my
8 information, and the invoices were being sent to, you
9 know, to obviously people that shouldn't have them, and
10 that the hotel staff is actually giving out information
11 they shouldn't be.

12 Q. Okay. Do you specifically -- do you remember anything
13 specific about what you were told during that last
14 conversation that you had sometime after May of 2015?

15 A. That was a new person at that point.

16 Q. Okay.

17 A. They didn't know really anything that -- they seemed
18 unaware or I mean your stuff says don't give up any
19 information, so they may have been totally aware of what
20 was going on but just didn't tell me, but your, you know,
21 your manual tells your manager on duty to not give up any
22 information. So they may have known but they acted as
23 though, you know, all of this is just news to them.

24 Q. Okay. We had talked, before, about audio recordings that
25 may have been made at the hotel and you told me you've

1 never actually heard any and you're not in possession of
2 any.

3 I want to jump to photographs, though. I think
4 there was some reference to photos being taken inside the
5 rooms you were staying in; is that true?

6 Do you believe that photographs were taken
7 inside the rooms?

8 **A. Yes.**

9 **Q.** Okay. Have you ever seen any of those photographs?

10 **A.** I don't know if we could pull them up, but we could see
11 the thumbnails of the photographs. So I only had Joe
12 Gamrat's phone, which had the thumbnails of those pieces
13 where there were photos that went along with the words
14 where he said things like, hey, the shower curtain's out,
15 hey, what do you think about this, both beds are messed
16 up, you now, the heat is the way that she likes it,
17 there's nothing in the trash. But there were photos
18 there, you couldn't open them, from his phone.

19 **Q.** So, here, I'll ask the question again.

20 Have you actually seen any photographs taken
21 inside of your room?

22 **A.** I saw those photo thumbnails. I could not increase them
23 to see what was there.

24 **Q.** No one ever sent you any photographs, did they, taken
25 inside of the hotel room?

1 A. No, they did not.

2 Q. Either by way of text, email, CD, thumb drive?

3 A. No, not that I'm aware of.

4 Q. Same question with any videos.

5 Have you ever seen any videos taken purportedly
6 inside your room?

7 A. No.

8 Q. Have you ever been sent any videos by way of text, email,
9 CD, DVD, thumb drive?

10 A. Well, yeah. I've been sent videos.

11 Q. Purportedly taken inside of your room?

12 A. No.

13 Q. Okay. Fair statement that Joe Gamrat probably knew when
14 his wife was going to Lansing on any given week; right?

15 A. Yeah. That's a fair statement.

16 Q. Okay.

17 A. He was tracking her and he was audio recording her. He
18 was planting listening devices.

19 Q. Well, he simply had to ask her like, hey, where are you
20 going, if she was leaving the homestead to go away for a
21 few days; right?

22 A. Well, the text messages indicate he was communicating with
23 Allard and Graham and Cline and they would tell him. He
24 would tell them when she left and they would tell him.

25 Q. How is that in any way an answer to my question?

1 A. Well, you said would he know. Well, he would know.

2 Q. No. I asked you this: Can you assume that Cindy probably
3 told Joe, hey, I'm going to Lansing for the next two or
4 three days?

5 A. That's not what you said.

6 Q. That's exactly what I said.

7 A. That's not what you said at all.

8 Q. Yeah.

9 MR. DePERNO: That's not what the question was.

10 BY MR. KOSTELLO:

11 Q. I said it's fair to say that Cindy told her husband when
12 she was going to Lansing. That's exactly what I said.

13 A. Well, I don't think it's fair to say that. They were,
14 they were estranged at that point. They weren't speaking.

15 Q. Were they living together?

16 A. Yeah, but he, he lived on the road. He was gone all week.

17 Q. Okay.

18 A. He actually worked out of state and around the state. So
19 where he was, I don't know.

20 Q. Okay.

21 A. If you're asking me to assume, I don't know what the -- is
22 it fair to say? I have no idea.

23 (At 3:28 p.m., Deposition Exhibit Number 6 was
24 marked.)

25 BY MR. KOSTELLO:

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1 Q. I show you what I've marked as Exhibit 6.

2 Have you seen that document before?

3 A. Yes.

4 Q. Is it the Complaint in this matter?

5 A. Yes. I believe it is. I haven't read through what you've
6 handed to me but it looks like it.

7 Q. Okay. This isn't the first time you've seen this though;
8 correct?

9 A. No. This isn't the first time.

10 Q. Okay. Can you turn to Page 3, Paragraph 9?

11 A. Okay.

12 Q. The last part of that, it says you were a member of the
13 House of Representatives "until he was unlawfully forced
14 to resign his position on September 11, 2015."

15 What do you mean by unlawfully forced?

16 A. Well, because it's very specific in the Constitution, the
17 criteria by which they can remove someone from office, and
18 they didn't meet that criteria.

19 Q. Okay. So you're meaning that the House, the House of
20 Representatives unlawfully forced you to resign?

21 A. They failed to provide any due process, they failed to
22 provide fair and just treatment under the Fair & Just
23 Treatment Clause, and they failed to meet the criteria for
24 impeachable offense under the Constitution.

25 Q. The decision to resign, though, was yours; correct?

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1 A. Yes.

2 Q. Okay. Who is Vincent Krell?

3 A. Vincent Krell is a person that worked with Joseph Gamrat.

4 Q. Okay. And he was named as a Defendant originally in this
5 lawsuit; correct?

6 A. That is correct.

7 Q. But he was dismissed; correct?

8 A. That is correct.

9 Q. Okay. What involvement do you think, if any, do you think
10 Vincent Krell had in any of this?

11 A. I only have the text messages and what Vincent Krell
12 shared with us in the affidavit that he signed. The text
13 messages showed that he was involved in, in -- and it
14 appeared that he was actually in the hotel room, from the
15 text messages. He denied that, but the text messages
16 showed that.

17 Q. Okay. What text messages are you referring to?

18 A. The text messages between Joseph Gamrat and Vincent Krell,
19 from Joseph Gamrat's phone.

20 Q. Okay. So then why was he dismissed from this lawsuit?

21 A. I think a decision was made to, to, to dismiss him from
22 the lawsuit because -- I have to ask. That's been a long
23 time ago.

24 THE WITNESS: Didn't he provide an affidavit,
25 Matt?

1 A. I have to ask my -- I believe he signed an affidavit as to
2 the -- to -- as to the case.

3 BY MR. KOSTELLO:

4 Q. Okay. Asserting what?

5 MR. DePERNO: Well, hang on a second. I am
6 looking for a -- can we go off the record?

7 MR. KOSTELLO: Sure.

8 (At 3:31 to 3:32 p.m. discussion held off the
9 record.)

10 MR. KOSTELLO: Back on.

11 BY MR. KOSTELLO

12 Q. It was your understanding that Mr. Krell actually asserted
13 that he didn't even live in Michigan or wasn't in Michigan
14 at any of the times relevant to your Complaint?

15 A. He, he asserted that he was living in Kentucky during that
16 time, but he worked for the same company and they moved
17 around a lot.

18 Q. Okay. So Paragraph -- let's go to Page 5 of your
19 Complaint. Paragraph 25 asserts that: The Radisson
20 Defendant, employees of the Radisson Defendants allowed
21 unauthorized agents, including Mr. Krell, to repeatedly
22 enter your rooms at the Radisson Hotel.

23 Do you see that?

24 A. I do see that.

25 Q. What evidence do you have that Mr. Krell ever entered one

1 of your rooms?

2 **A. We had the text messages between Joe Gamrat and Vincent**
3 **Krell.**

4 Q. Okay. In those text messages, Mr. Krell asserts that he's
5 standing in your room at some point?

6 **A. He asserts a whole host of surveillance stuff.**

7 Q. Paragraph 26 alleges: Mr. Krell entered rooms at the
8 Radisson to install surveillance equipment in the rooms
9 you were staying in.

10 What evidence do you have that he did that?

11 **A. The text messages.**

12 Q. Okay. Would you go to Page 7, please? Paragraph 36 says:
13 The Radisson Defendants allowed unauthorized access to
14 Courser's hotel room for recordings to be made of Courser.
15 These recordings caused irreparable harm to Courser.

16 So these are the recordings that -- the
17 recordings referred to in Paragraph 36 were the same
18 recordings that you've never heard and don't have
19 possession of; correct?

20 **A. They're the recordings. Yes.**

21 Q. Okay. So what irreparable harm have those recordings, no
22 one can verify exist, caused you?

23 **A. They're used as the basis for the extortion texts.**

24 Q. And the extortion texts caused what sort of harm to you?

25 **A. Well, ultimately, it resulted in removal from office.**

1 Q. How did the extortion texts result in removal from office?

2 A. It related to the, the publishing of that, that recording
3 between myself and Graham from May 19th, the partial
4 release of that recording.

5 Q. The partial release of that recording was the result of
6 your false flag email; was it not?

7 A. No. The partial release of the recording is because Ben
8 Graham took it and then with the Detroit News' lawyers,
9 they edited out twenty minutes of it and then they used it
10 to run the story, which was then the basis for the House
11 of Representatives committee. It was also then the basis
12 of the removal from office and then it was the basis for
13 the criminal charges.

14 Q. The text messages have nothing do with that chain of
15 events though.

16 A. That's your opinion. Are you asking me a question or are
17 you telling me something?

18 Q. The House of Representatives' action was based on your
19 attempts to cover up your affair with Miss Gamrat.

20 A. Is that a question?

21 Q. Fair statement or not?

22 A. That's not a question.

23 Q. Okay. You disagree with that?

24 A. Yes. I disagree with that.

25 Q. Do you disagree with Mr. Bowlin's statement in the House

1 report that the alleged blackmail attempt had absolutely
2 nothing to do with your -- the investigation into you?

3 **A. Yes. I disagree with that.**

4 Q. Okay.

5 **A. It played a part but it played a part with all the other**
6 **pieces.**

7 Q. Okay.

8 MR. BYE: Tony, could I talk to you for a
9 second?

10 MR. KOSTELLO: Yes. A quick break.

11 (At 3:37 to 3:39 p.m. recess taken.)

12 MR. KOSTELLO: Back on the record.

13 BY MR. KOSTELLO:

14 Q. As we sit here today, do you still believe that Vincent
15 Krell gained access to your rooms at the Radisson?

16 **A. I believe that the text messages show he was involved in**
17 **the extortion and that he had a lot of back and forth with**
18 **Joe Gamrat --**

19 Q. Do you believe he --

20 **A. -- but he claims he was in, in Kentucky. So --**

21 Q. So what's the answer to my question then?

22 Do you believe he was involved in gaining access
23 to your hotel rooms; yes or no?

24 **A. That's a different question. Do you believe he was**
25 **involved or --**

1 Q. That the same exact question that I asked you before.

2 A. I understand what you said. Let me state it. Do you
3 believe that he was involved in gaining access to your
4 hotel room?

5 Q. Did he gain access? Was he, was he physically in your
6 hotel rooms?

7 A. That's not what you said.

8 Q. I'll ask you that question. Was he physically in your
9 hotel rooms?

10 A. I don't know.

11 Q. Okay.

12 A. I know, I know the text messages show that it was back and
13 forth.

14 Q. What does that mean?

15 A. Between he and Joe Gamrat discussing the inside of my
16 hotel room.

17 Q. Do you believe Joe Gamrat was physically inside your hotel
18 rooms?

19 A. Yes. He said he was, in the deposition.

20 Q. Do you believe anyone else was physically inside your
21 hotel rooms?

22 MR. DePERNO: Objection to the form of the
23 question as to anyone.

24 BY MR. KOSTELLO:

25 Q. Anyone else that was part of this alleged conspiracy?

1 A. Yes. I believe there were other people involved.

2 Q. Like who?

3 A. I don't know. I believe that there are other people
4 involved. I mean we have, we have enough text messages to
5 show that.

6 Q. Mm-hmm. Do you believe that anyone at the Radisson wanted
7 you removed from office?

8 A. I don't know that. I mean there could've been. There was
9 clearly somebody who was working with these people to
10 provide that information.

11 Q. To what end?

12 A. I don't know. In the text messages, it says that they're
13 being paid to provide the information, so there might've
14 been a monetary reason for doing it. Oh, you haven't
15 provided -- the other thing is you haven't provided who
16 the actual owners are of the hotel --

17 Q. Yeah, we did.

18 A. -- who the beneficial owners are.

19 Q. Yeah, we did.

20 MR. DePERNO: No, you didn't.

21 MR. KOSTELLO: We did.

22 MR. DePERNO: You didn't.

23 MR. KOSTELLO: We did. We absolutely did.

24 A. No. I have not seen that, so if you provided it and you
25 could provide it again, we'd appreciate it.

1 BY MR. KOSTELLO:

2 Q. You can go back and look at my discovery responses and --

3 A. I've looked through every, every page of your discovery
4 responses. So --

5 Q. Do you have -- strike that.

6 So go to Page 11, please, Paragraph 50. It
7 says: As described in this Complaint, some Defendants
8 started the scheme to violate federal and state laws and
9 then spy on Courser in order to dig up dirt on him in
10 violation of federal and state laws.

11 Which Defendants are you referring to there?

12 A. Well, we have -- we know that Graham, at least, and Joe
13 Gamrat were accessing my emails.

14 Q. I know, but are Mr. Graham or Mr. Gamrat Defendants in
15 this case? This is referring to Defendants, capital D,
16 the Defendants in this case.

17 Which Defendants are being referred to in
18 Paragraph 50?

19 A. Yeah. At that point, at that point we had Krell, for
20 sure, and we had people in the Radisson providing that
21 information to other people.

22 Q. "Some Defendants started the scheme."

23 Which Defendants started the scheme?

24 A. Well, I mean when you're asking did it violate -- let's
25 go, let's go back.

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1 Q. I'm asking you what Defendants started the scheme, that
2 you're referring to there?

3 A. Well, I don't know which employees you had that were
4 involved in it. You would have to provide that
5 information to us.

6 MR. DePERNO: Which paragraph are you looking
7 at?

8 MR. KOSTELLO: Paragraph 50.

9 **THE WITNESS: 50.**

10 BY MR. KOSTELLO:

11 Q. So are you saying -- are you suggesting that the scheme to
12 spy on you was started by either the Radisson Defendants
13 or employees of the Radisson?

14 A. Well, I don't know why they would have provided the
15 information if they weren't involved in it, because it was
16 illegal for them to do it and it's against your own,
17 against your own -- when I read through your own handbook,
18 your own manual, it says these are things that should not
19 happen, should not happen, should not happen and --

20 Q. What does "started the scheme" mean?

21 A. Well, let me finish.

22 Q. You're not answering my question.

23 A. I am answering the question.

24 Q. No, you're not at all.

25 A. Yes, I am.

1 Q. Not remotely.

2 A. You're trying to cut me off because I'm actually pointing
3 out the fact that your hotel was involved in it.

4 Q. Yeah.

5 A. There's no reason for your hotel to do that other than
6 they had some sort of other purpose. Why would they
7 provide those, those emails? Why would they provide
8 access to the portal? Why did they continue to give out
9 the information? Why would they allow somebody that calls
10 in to get my room number? What would be the reason?

11 Q. What does "started the scheme" mean?

12 A. That sounds like, to me, it's starting the scheme. There
13 was a reason for that.

14 Q. So it was their idea to start spying on you? They started
15 it?

16 A. Well, I don't, I don't --- it doesn't say it was their
17 idea.

18 Q. So what does "started the scheme" mean?

19 A. They were involved in it.

20 Q. Okay. Do you think -- now, Paragraph 51 says: Defendants
21 conspired to earn a profit through a process of fraud and
22 misrepresentations.

23 Do you -- are you really alleging that the
24 Corporate Defendants in this action conspired to earn a
25 profit from Mr. Gamrat?

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1 MR. DePERNO: Objection to the form of the
2 question. It doesn't say that the Defendants conspired to
3 earn a profit from Gamrat.

4 BY MR. KOSTELLO:

5 Q. Okay. A profit at all. I don't care from whom.

6 Do you really think that the Corporate
7 Defendants here were conspiring in order to make some sort
8 of profit off of spying on you?

9 A. Well, the corporation at the Radisson or Hammons &
10 Winegardner and, you know, the rest, they have employees,
11 and those employees were involved in this. So, you know,
12 you can say, oh, the corporation, the Corporate Defendant
13 as though somehow it's some austere group that would never
14 stoop to having some sort of profit motive, but that's
15 totally different from the employees of the Radisson Hotel
16 in Lansing. They clearly provided the information, and
17 the texts say that they were being paid. If they weren't
18 being paid, why would they have done it?

19 Q. Page 14, Paragraph 66, what false or misleading actions or
20 statements did the Defendants make?

21 A. Hold on. Let me read through this because you didn't read
22 it to me. Well, I discussed with them, by telephone, I
23 discussed both with the portal people, your online folks,
24 I discussed via telephone, and they said, hey, nothing has
25 happened in regards to information being shared from the

1 hotel --

2 Q. Okay.

3 A. -- and, and that wasn't true. It just wasn't true.

4 Q. Page 18, Paragraph 100: After obtaining private
5 information from surveillance and listening devices,
6 Defendants -- capital D -- used that information to
7 directly blackmail, extort, and threaten Courser or
8 advance the conspiracy to blackmail, extort, and threaten
9 Courser.

10 Are you alleging that the Defendants in this
11 matter directly blackmailed or extorted you or threatened
12 you?

13 A. Well, what I'm saying is the employees of the Defendants.
14 That is -- are you saying that the employees are separate
15 than the Corporate Defendants?

16 BY MR. KOSTELLO:

17 Q. Did the employees directly blackmail you?

18 A. Well, they provided the information to do it.

19 Q. What does directly blackmail mean?

20 A. They're the ones who were providing the information to do
21 it. If they hadn't allowed access to my hotel room and
22 access to my information, the blackmail couldn't have
23 occurred.

24 Q. Okay. You're an attorney. So when someone says directly
25 blackmail, to me that means you're alleging that they

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1 actually did the blackmailing.

2 MR. DePERNO: Objection to the form of the
3 question. That's your --

4 BY MR. KOSTELLO:

5 Q. Would you disagree with me or that's not what that means?

6 You're not truly alleging -- okay. Let me ask
7 it this way. Are you alleging that any of the Defendants
8 were actually the ones sending you the text messages?

9 A. No. No. We already, we already discussed that. We
10 discussed that. But you don't have to be involved in
11 sending the text messages to be the people who were
12 providing the information to do it.

13 Q. Do you think --

14 A. That's direct.

15 Q. Do you think there was any intent on any employees or the
16 Corporate Defendants themselves to extort or blackmail
17 you, that they intended that that would happen?

18 A. I guess I'll go back to direct. What do you mean by
19 direct?

20 Q. You used the word direct. It's your word in your
21 Complaint.

22 A. You're the one that said it. You obviously have a
23 different meaning to direct than I do.

24 Q. You put it in the Complaint, sir.

25 A. I'm saying direct meaning they were directly involved.

1 Q. Okay.

2 A. Are you saying they weren't directly involved? We just,
3 we just talked about all that information was provided
4 over and over to them to do it, that you won't provide.

5 Q. You knew you were having an affair; right?

6 A. Yes.

7 Q. And Mr. Gamrat knew you were having an affair with his
8 wife; correct?

9 MR. DePERNO: Objection. Objection. We've
10 already gone over this. Now you're badgering the client.

11 MR. KOSTELLO: No, I'm not.

12 BY MR. KOSTELLO:

13 Q. You knew you were having an affair; correct?

14 A. I did.

15 Q. Mr. Gamrat knew you were having an affair; correct?

16 A. Yes.

17 Q. The text messages that were sent by Mr. Horr at
18 Mr. Gamrat's direction were allegations related to the
19 affair that he knew you were having and you knew you were
20 having; correct?

21 A. Not only. There's all kinds of other information in
22 there.

23 Q. Okay. What, beyond the affair of itself, did you care
24 about coming out?

25 Did it matter to you, beyond the affair, that

1 someone may have seen you in a room with her on a certain
2 date?

3 Why is that any worse than the affair itself?

4 **A. I'm not sure what you're asking.**

5 Q. Okay. What I'm asking you is this. Is any of the
6 information that supposedly was provided to Mr. Gamrat, by
7 the Radisson, what did it add to anything?

8 When you received that text message on May 19 or
9 some days before, from Mr. Horr or Mr. Gamrat, okay, you
10 knew you were having an affair with Cindy, right, and
11 Mr. Gamrat knew you were having an affair with Cindy, and
12 your mother and your brother knew you were having an
13 affair with Cindy.

14 So what was the fact that someone may have seen
15 you there on a certain date with her, what did that add to
16 anything?

17 MR. DePERNO: Objection. I still don't --

18 BY MR. KOSTELLO:

19 Q. The fact that, the fact that you were having an affair,
20 you knew it, so what did it matter?

21 What did it matter that someone said, hey, I saw
22 you on this last Tuesday at the hotel with Cindy?

23 MR. DePERNO: Objection to the form. I still
24 don't understand the question.

25 **A. I don't understand the question either.**

1 BY MR. KOSTELLO:

2 Q. Okay.

3 A. So --

4 Q. Did it matter?

5 Were you, were you scared that someone -- that,
6 that specific information about you being in a hotel room
7 with Cindy Gamrat on, let's say, Tuesday, April 26 was
8 gonna come out versus the fact that you were just having
9 an affair in general?

10 A. You're, you're going through hypotheticals. I don't know
11 what --

12 Q. Right. My point is what did any of that information that
13 supposedly was gathered from the Radisson Hotel?

14 What did it matter?

15 A. I, I, I -- is there a question in there?

16 Q. Yep. What did it matter? Why did it matter?

17 A. That information was the basis for the extortion texts.

18 Q. The basis for the extortion texts was the fact that you
19 were having an affair with Cindy, which Mr. Gamrat knew.

20 Mr. Gamrat was the one behind the extortion
21 texts. He already knew that. So my --

22 MR. DePERNO: You are arguing with the witness.

23 MR. KOSTELLO: No. I'm asking him.

24 MR. DePERNO: No. You're arguing with him.

25 MR. KOSTELLO: Nope.

1 BY MR. KOSTELLO:

2 Q. What did it matter?

3 MR. DePERNO: I'll argue then. Does it matter
4 that someone drilled a hole --

5 BY MR. KOSTELLO:

6 Q. What did it matter?

7 MR. DePERNO: -- in a hotel room to see Erin
8 Andrews naked? We know she's naked sometimes; right? So
9 what does that add?

10 MR. KOSTELLO: That's, that's -- that is not
11 even remotely the same thing.

12 MR. DePERNO: Sure, it is.

13 MR. KOSTELLO: Well, you can believe that.

14 MR. DePERNO: You are providing access to
15 someone's room in a similar manner.

16 BY MR. KOSTELLO:

17 Q. To provide information which Mr. Gamrat already knew, the
18 fact that you were having sex with his wife behind his
19 back; right?

20 A. I'm still not understanding what the basis of your
21 question is.

22 Q. All right.

23 A. If you wanna say -- what you're trying to say is that my
24 privacy is no longer valuable at your hotel and you have
25 no obligation to actually protect my privacy and,

1 therefore, you can give out my text messages, my emails,
2 you can let people into my hotel room because there's an
3 affair.

4 Q. What I'm saying is --

5 A. I guess, I guess everybody should know that about the
6 Radisson Hotel -- come stay here, we're gonna give all
7 your information out, you have no privacy, we're not going
8 to, we're not going to in any way protect you in your
9 privacy in the hotel room, expect people to come in and
10 take pictures and plant listening devices in the hotel
11 room. That's what we're about.

12 Q. What I'm asking you, sir, is in your -- you have alleged
13 that there's some direct connection between the fact that
14 perhaps Mr. Gamrat obtained some information at the hotel
15 and you're no longer a State Representative.

16 My overriding point is you want to believe that,
17 that's fine, but you're claiming damages because that
18 information got out that led to your expulsion.

19 And what I'm asking you is what led to your
20 expulsion was the fact you were having an affair, you
21 tried to cover it up with this email that you sent out and
22 then were trying to cover that up, in the aftermath of
23 that, which led to the House of Representatives seeking
24 your expulsion. And I'm trying to ask you --

25 MR. DePERNO: Objection. Now you're badgering

1 the witness.

2 BY MR. KOSTELLO:

3 Q. I'm trying to ask you what any information about when you
4 may have been at the hotel --

5 **A. Throw your head around.**

6 Q. I'm not even throwing my head around.

7 MR. DePERNO: Objection. You're being
8 argumentative now with the witness. You're not even
9 asking a question.

10 MR. KOSTELLO: I'm not trying to ask a question.

11 MR. DePERNO: Exactly. You're not even trying
12 to ask a question.

13 BY MR. KOSTELLO:

14 Q. What did any of that information have to do with you
15 losing your job in the House of Representatives?

16 MR. DePERNO: Objection. He's already answered
17 this question --

18 MR. KOSTELLO: No, he hasn't.

19 MR. DePERNO: -- five times.

20 MR. KOSTELLO: He has not even remotely answered
21 it.

22 **A. I think you made a statement. I'm not sure what you
23 asked.**

24 BY MR. KOSTELLO:

25 Q. No. I asked you a question. If you can't answer it,

1 that's fine --

2 MR. DePERNO: Objection.

3 BY MR. KOSTELLO:

4 Q. -- because I'm not sure, I'm not sure, I'm not sure

5 there's an answer to it.

6 **A. It was a fifteen-minute question.**

7 MR. DePERNO: Objection. It wasn't a question;
8 it was an argumentative statement with a "is that correct"
9 at the end.

10 MR. KOSTELLO: Nope. I asked him --

11 MR. DePERNO: Not even a question.

12 MR. KOSTELLO: I asked him what did it have to
13 do with it, so that is a question.

14 **A. Well, what it has to do with it is that you guys violated**
15 **a federal wiretapping and eavesdropping statute and --**

16 BY MR. KOSTELLO:

17 Q. And that had to do with what related to you losing your
18 job?

19 **A. You're interrupting me again.**

20 Q. Because you're not answering the question.

21 MR. DePERNO: Just --

22 **A. I'm trying to answer the question.**

23 BY MR. KOSTELLO:

24 Q. No. You haven't tried to answer any of my questions
25 really.

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1 A. I am.

2 MR. DePERNO: Let's not --

3 A. Hold on. No. I think I can. It has to do with the fact
4 that --

5 BY MR. KOSTELLO:

6 Q. Page 23, Paragraph 131: Defendants' publication of the
7 misleading and defamatory articles constituted an invasion
8 into Courser's private matters.

9 What defamatory articles were published by the
10 Defendants?

11 A. Well, obviously this information that was placed in here
12 (pointing). This was published.

13 Q. But to who?

14 A. It ended up being published to the whole world.

15 Q. Okay. What's defamatory in there? What's not, what's not
16 true?

17 A. Well, the defamatory part is -- you're dealing with the
18 issues of published, misleading and defamatory articles.

19 Q. Yeah. What articles were published by the Defendants?

20 Do you know what published means?

21 A. Well, that information was, was transmitted to Joe Gamrat.

22 Q. Uh-huh. And what was defamatory about the information
23 that was supposedly transmitted to Mr. Gamrat?

24 What was untrue about it?

25 A. Well, I mean you can go through his texts and you can see it.

1 Q. You were staying at the hotel. You were having sex with
2 his wife in the hotel.

3 What exactly was untrue about any of the
4 information that Mr. Gamrat supposedly obtained?

5 A. In violation of my privacy --

6 Q. That's not what that paragraph says.

7 A. Well, that's what you're doing. You're trying to say
8 because of the actions that I had --

9 Q. Do you know what defamatory means?

10 A. Wait. You're trying to say because of the actions I had,
11 somehow that absolves you from your responsibilities
12 legally.

13 Q. What does defamatory mean?

14 A. Well, I don't know. You have a definition of it. You can
15 give it to me.

16 Q. It's in your Complaint, sir.

17 A. Well, give it to me. I mean you want to, you want to --

18 Q. I'm asking you what it means in your Complaint.

19 A. Well, I'd have to go and look it up.

20 Q. Okay. That's fine.

21 A. I'm not gonna get into hypotheticals with you on that.

22 Q. It's not a hypothetical. It's in your Complaint. You
23 made the allegation and you're an attorney.

24 A. I don't know. It seems like you're, you're pretty
25 argumentative today.

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1 Q. Okay. Page 27, Paragraph 160: This concerted action was
2 intended to, among other things, in order to defame
3 Courser.

4 How did the Defendants attempt to defame you?

5 **A. What page are you on?**

6 Q. 27, Paragraph 160.

7 **A. Well, they provided, to other co-conspirators, this**
8 **information which contributed to, you know, to, to --**

9 Q. What was untrue about it?

10 **A. What do you mean what was untrue about it?**

11 Q. Okay. What's a defamatory statement?

12 **A. Again, you're going back to that. I asked you. If you**
13 **wanna read the definition to me --**

14 Q. It's in your Complaint. How did we try to defame you?

15 What was untrue about anything in any of those
16 text messages?

17 **A. It's just outrageous the way that you're doing this.**

18 **That's what I'm saying.**

19 Q. Oh, it is?

20 **A. It is.**

21 Q. Okay. Asking you about the claims that you made in your
22 Complaint, that's outrageous?

23 MR. DePERNO: Objection. It's not the --

24 BY MR. KOSTELLO:

25 Q. Asking you what you meant as an attorney?

1 **A. You're very unprofessional again.**

2 MR. DePERNO: It's the way you're asking the
3 questions. It's the argumentative nature, the, the
4 hostile way that you're acting.

5 MR. KOSTELLO: Mm-hmm.

6 MR. DePERNO: You're really badgering the
7 witness and attacking him.

8 MR. KOSTELLO: I'm asking him about the claims
9 he's made in this lawsuit.

10 MR. DePERNO: Come on. You know the way you're
11 acting today.

12 MR. KOSTELLO: Mm-hmm.

13 MR. DePERNO: You're very argumentative. You're
14 very unprofessional today.

15 MR. KOSTELLO: Okay. You can keep on saying
16 that.

17 BY MR. KOSTELLO:

18 Q. Who is Ray Cline?

19 **A. I don't know Ray Cline, but I think Ray Cline is the**
20 **cousin to Joshua Cline. I believe that's the connection**
21 **there.**

22 Q. You, in making your extortion report with the Michigan
23 State Police, told the officer that: Ray Cline had
24 approached him on Facebook Messaging. Cline wanted to sit
25 down with Courser and meet with him. Cline purportedly

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1 had sensitive information about Courser.

2 Do you recall telling the police that?

3 **A. Yeah. You're, you're smiling again and you're rolling**
4 **your eyes again.**

5 Q. I'm not smiling. I'm asking you a question.

6 **A. I just said yes.**

7 Q. I'm sitting here asking you a question. I literally did
8 not smile and I did not roll my eyes.

9 **A. And I said yes.**

10 Q. Okay. So what did you mean by that?

11 **A. I said that he reached out through Facebook.**

12 Q. And why was that relevant to anything that you were
13 reporting to the police officer at that point?

14 **A. Because they were asking me questions about who was**
15 **involved or who I thought might be involved.**

16 Q. Okay. Why did you think Ray Cline was involved?

17 **A. Because he reached out to me, claiming to have information**
18 **related to the extortion --**

19 Q. Mm-hmm.

20 **A. -- and to the affair, and he was the cousin to Joshua**
21 **Cline.**

22 Q. And you never talked to him or contacted him back?

23 **A. I don't know if there was a back-and-forth by Facebook.**
24 **I'm not sure.**

25 Q. Who is Larry Moyer, M-o-y-e-r?

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1 A. I don't remember that name.

2 Q. You said -- you told the officer: Courser stated that
3 another person named Larry Moyer had done the same as
4 Cline.

5 Do you recall that?

6 A. Probably did. There was a lot of back and forth, but I
7 don't remember the name.

8 Q. You don't remember who that is?

9 A. I do not. Not that I'm aware of. I knew a lot of people,
10 but I can't place that person.

11 Q. You told the police officer -- well, this is in his
12 report: Courser noted that his phone number was pretty
13 well-known worldwide.

14 Why was your phone number pretty well-known
15 worldwide?

16 A. My phone number was pretty well-known worldwide? What do
17 you mean why was it known pretty worldwide?

18 Q. It just seems like an odd statement to me.

19 Why would your phone number be pretty well-known
20 worldwide?

21 A. Well, I had an email list for my -- my email distribution
22 list for my newsletter was I think some 40-some thousand
23 people and that was all over the country, and so my
24 connections ran all over the country.

25 Q. When did your affair with Miss Gamrat end?

1 A. I don't know the exact date.

2 Q. Well, you told the police officer that the affair ended on
3 May 19, 2015.

4 A. I don't remember that.

5 Q. You don't remember saying that or you don't remember that
6 being the date?

7 A. I don't remember either one, actually. I don't remember
8 saying that to a police officer and I don't remember that
9 being the date, because I don't know that I saw her on May
10 19th. I'm not sure.

11 Q. Okay. It's mentioned in the report, on at least two
12 occasions, that you told him that the affair was over as
13 of May of 2015.

14 A. Yeah. I don't remember that. Sorry.

15 Q. Okay. Did it go past that?

16 A. I don't know when the date, the last date you'd say there
17 was an affair. I haven't seen Cindy in -- I've only seen
18 Cindy at court hearings pretty much for the last five
19 years. We had a couple times where she was, where she was
20 called as a witness, and then she was, in the '16, she was
21 actually in the preliminary in June, and then she's been
22 called as a witness a couple of other times and she came
23 to a couple of the actual hearings that I had criminally.

24 Q. Did it end in 2015?

25 A. Yes. Yeah.

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1 Q. Was it still going on in the summer June/July of 2015?

2 A. I would say so. I don't know, I don't know physically

3 when. You're asking me when did the physical relationship

4 end with her. I can't put a date on that.

5 Q. The Police Report, in talking about the email that was

6 sent on May 20, 2015, says: Courser advised that there

7 are probably a "kernel" of truth in the email but for the

8 most part it is a lie.

9 Do you remember telling the police officer that?

10 A. No, I don't. I think that was maybe five years ago,

11 five-and-a-half years ago, something like that.

12 Q. So I mean you were suggesting, though, that -- I mean is

13 it fair to say that his recollection of your conversation

14 is probably accurate?

15 A. No. There were a lot of inaccuracies in the, in the

16 Police Report.

17 Q. Okay. It just seems he put kernel in quotes, meaning that

18 it came directly out of your mouth. I'm just wondering

19 what may have been true in that email.

20 A. I have no idea. You'd have to talk to the officer on

21 that.

22 Q. Who is Wendy Day?

23 A. Wendy Day is -- she ran for State Representative and she

24 almost came to work for us. She lost her race. She was a

25 activist as well. She's out of Livingston County. I

1 believe she's in real estate now.

2 Q. Did you ever have a gentleman by the name of Randy Bishop
3 contact the investigating officer from the Michigan State
4 Police?

5 A. Randy was -- Randy kinda gets involved in lots of stuff.
6 I don't know that I had him contact anyone, but it
7 wouldn't necessarily be Randy Bishop's, out of his
8 character to contact whoever. He worked with the Attorney
9 General Schutee and he's very involved in campaigns
10 throughout the Republican Party. He's a radio host up
11 north.

12 Q. Does your brother, Dan, still live on Skelton Road in
13 Columbiaville?

14 A. He does.

15 Q. Was Cindy's cell phone number (269) 491-3600?

16 A. I think that's her current number. I don't think that was
17 the number back in that time. Somewhere in there, she
18 changed it.

19 Q. Was that number associated with text messages that were
20 occurring back in August of 2015?

21 Does that sound right, that it would have been
22 hers back then?

23 A. I would think so.

24 Q. Okay.

25 A. But, yeah, I don't know. I don't know when she got a new

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1 phone.

2 Q. Fair enough. Do you have any idea where Joseph Gamrat
3 currently resides?

4 A. Oh, yeah. We're just buddies. He hangs out at my house
5 and -- you know, you know.

6 Q. A simple no would have been fine.

7 A. No. How, how would I know that?

8 Q. I don't know. Just asking the question.

9 A. No.

10 MR. KOSTELLO: Give me thirty seconds.

11 That's all the questions I have for you, sir.

12 Thank you for your time.

13 THE WITNESS: Yeah.

14 MR. KOSTELLO: I appreciate it.

15 THE WITNESS: Thank you.

16 EXAMINATION

17 BY MR. DePERNO:

18 Q. I'm showing you two pages marked Plaintiff's 1141 and
19 1142.

20 Do you recognize those pages?

21 A. Yes, I do.

22 Q. What are those pages?

23 A. They are a transcript of the, of the meeting between
24 Detective Britvec and Brock Swartzle and the Speaker of
25 the State House.

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1 Q. What does Detective Britvec conclude near the bottom of
2 Page 20?

3 A. You mean Page 23, 20 of 23?

4 Q. 20 of 23.

5 A. He says, and he's speaking in regards to Graham: "Now
6 there's that, I also think, it just looking at it, I've
7 been coming more and more, I really don't like the guy, I
8 think he's sneaky. But I believe that he was probably
9 talked into doing these recordings by Josh Cline because,
10 the second that, and I'm not positive that he didn't know
11 about the texting. Because the second that Courser
12 contacts him to "get over here, I need your help." He
13 calls Josh Cline and he tells me that. And him and Josh
14 Cline decide together that this should, this should
15 probably be taped."

16 And then there's a statement that continues from
17 there and it says: "Well, that sounds like a setup to me.
18 The text has been sent. He contacts you hey -- he
19 contacted me. You know, hey, let's record this and then
20 we'll have it on tape that they probably have no idea the
21 email crazy shit about to come down.

22 That was Detective Britvec at Pages 20 and 22 --
23 20 and 21, rather.

24 Q. And what does Brock Swartzle say about Keith Allard in
25 that sentence?

1 A. He says: "Keith Allard is just a piece of crap."

2 MR. DePERNO: Can we mark this as the next
3 exhibit, please?

4 MR. KOSTELLO: Both pages together?

5 MR. DePERNO: Yeah.

6 (At 4:15 p.m., Deposition Exhibit Number 7 was
7 marked.)

8 BY MR. DePERNO:

9 Q. When you met with Ben Graham at your office, was that
10 April 19th, 2015?

11 A. I don't know if I met with him on April 19th but I did
12 meet with him related to the May 19th.

13 Q. Oh, May -- I'm sorry -- May 19th.

14 On May 19th, what was your understanding of Ben
15 Graham's intention regarding the number of people that
16 that email would be sent to?

17 MR. KOSTELLO: Form and foundation.

18 A. My understanding was it was going to be very few people, a
19 very limited run.

20 BY MR. DePERNO:

21 Q. And why would it be very few people?

22 A. That was just his, his -- that was the conversation we had
23 about that.

24 MR. KOSTELLO: Same objection.

25 A. He didn't want to send it to every person. You wanted it

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1 just to go out to see, from that limited pool, if the
2 extortionist found out about the email going out. That
3 was the purpose of the email.

4 BY MR. DePERNO:

5 Q. And was that successful then?

6 A. Well, it wasn't intended that it would go out to all the
7 people that it went out to. Somehow there was some
8 confusion with that, between myself and Ike, the next day,
9 and he continued to send it out.

10 Q. Did you try to stop him from sending it?

11 A. Well, we had a conversation about it and he was having
12 some technical difficulties and I said just hold off on
13 it, and I think that he -- I think the way that that
14 worked is he held off until he figured out how to make it
15 run and then he made it run.

16 Q. Regarding the pornography pictures that you found in your
17 office -- and when I say your office, I mean Lansing --

18 A. Yes.

19 Q. -- you took that information to the House Business Office?

20 A. Yes.

21 Q. And did you make a complaint about it?

22 A. Yes.

23 Q. And did you expect the people at the House Business Office
24 would properly categorize that complaint and properly make
25 a complaint?

1 A. Yes.

2 Q. Did you do the same regarding Allard, Graham and Cline's
3 work ethic?

4 A. Yes.

5 Q. And at that point did you have any control over what the
6 House Business Office did?

7 A. No.

8 Q. Could you directly fire Allard, Graham or Cline?

9 A. No.

10 Q. When Joshua Cline quit your office, was it true that it
11 had been exposed that he was a member of a dating site?

12 MR. KOSTELLO: You mean at the time he quit in
13 April of 2015?

14 MR. DePERNO: Yes.

15 BY MR. DePERNO:

16 Q. When he quit in April 2015, was that known?

17 A. It wasn't exposed until I believe that came out in September,
18 August or September of 2015, but he had already -- he had
19 told me that he had issues with homosexuality even though
20 he was married.

21 Q. Do you think that had a factor in his resignation from
22 your office?

23 A. I, I, I don't know if that had a factor or if he
24 recognized that we were -- that I, you know, that I was
25 going to the House Business Office and registering my

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1 complaints concerning their work efforts.

2 The issue with Joshua Cline came to a head
3 because he was in charge of my scheduling and had
4 scheduled me to meet with the Veterans Affairs over in
5 Muskegon, and so I got up, it was a snowstorm and I drove
6 over to Muskegon.

7 And when I got to Muskegon, they informed me
8 that it had been canceled and that they had already
9 contacted my staff at the, at the House of Representatives
10 and I should have been informed the whole event had been
11 canceled. And Joshua, that was kind of the head of the
12 whole thing. And so he just, he just wasn't willing to be
13 or able to be an administer, to administrate the office,
14 for the constituents, the constituents' calls. And me
15 being where I was supposed to be, you have to have staff
16 members handle that, and he just wasn't up to the task.

17 And I think because they were hearing the texts
18 and listening to the conversations, there was a lot of
19 conversation about the fact that, you know, we were very
20 unhappy with his work, his work performance, and then
21 finally, you know, the House Business Office had been
22 contacted.

23 Q. You brought some papers with you today, which I think were
24 in response to the Notice of Deposition?

25 A. Yes.

1 Q. I'm gonna hand these to you and you can explain to me why
2 you brought them. The first is this stack. It's labeled
3 552 through 570.

4 A. Yeah. I mean I can read the whole thing or not, but this
5 -- there were -- I was obviously reviewing the evidence,
6 and there's a lot of evidence, and this was a handbook
7 from Winegardner & Hammons, which I believe is the
8 management of the Radisson Hotel. And it just went
9 through kind of their training or the way that they handle
10 -- and it just said keep control and guest privacy and it
11 said that Winegardner & Hammons, the safety and security
12 of our guests is priority, our guests have choices, and
13 this is what separates us from other hotels, it's our
14 responsibility to refrain from giving out information
15 about the identity, room number and activities of our
16 guests.

17 Q. And did the Defendants follow those privacy guidelines?

18 MR. KOSTELLO: Form and foundation.

19 A. No, they did not.

20 BY MR. DePERNO:

21 Q. Did they make it a priority to ensure your safety and
22 security?

23 MR. KOSTELLO: Form and foundation.

24 A. In my opinion, no, they did not.

25 BY MR. DePERNO:

1 Q. Did the Defendants give out information about your
2 identity?

3 MR. KOSTELLO: Same objection.

4 A. Yes, they did.

5 BY MR. DePERNO:

6 Q. Did they give out information about your room number?

7 MR. KOSTELLO: Same objection.

8 A. Yes, they did.

9 BY MR. DePERNO:

10 Q. Did they give out information about the activities of
11 their guests?

12 MR. KOSTELLO: Same objection.

13 A. Yes, they did.

14 And when you continue down, it says our guests
15 want to be safe and it is our job to provide that service.
16 And then it goes very specifically, it's a good handbook,
17 guest room numbers, employees, most often operators and
18 front-desk operators, are often asked in which room a
19 particular guest is staying. The proper response is to
20 politely decline to give out this information.

21 BY MR. DePERNO:

22 Q. Did the Defendants follow that rule?

23 MR. KOSTELLO: Same objection.

24 A. No, they did not.

25 And then it goes on and says you can offer to

1 put the caller through to the guest's room instead. If
2 the person makes the request in person, you can either
3 direct the person to the house phone or put through a call
4 to the guest room and advise the guest that he or she has
5 a visitor at the front desk.

6 BY MR. DePERNO:

7 Q. Anything else of relevance in that document?

8 A. Well, yes. The guest rooms, I mean that goes to Joe
9 Gamrat in his deposition is very clear that he simply
10 called up to the hotel and got the information and that he
11 placed the email, that he called up and placed the emails
12 on my account and that they were giving him that
13 information.

14 It goes on in the next one, Winegardner &
15 Hammons, allowing guests to enter the room, it goes on to
16 say guests oftentimes find themselves locked out of their
17 room and need to be let in. In these situations, it is
18 imperative that we do not let the guest in a room without
19 following the proper lost key procedure. Even if you see
20 a guest leave the room, do not let them back in without
21 having them verify their identity at the front desk.

22 Q. So did the Defendants verify the identity of Joe Gamrat
23 when they allowed him into your room?

24 MR. KOSTELLO: Same objection.

25 A. I, I don't know if they verified his identity allowing him

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1 into the room or not. It wouldn't make sense that they
2 would and then still allow him because he wasn't on the
3 room reservation. So my belief is no, they did not.

4 BY MR. DePERNO:

5 Q. So in your, in your opinion, following up on the questions
6 opposing counsel asked you, if you had an affair and
7 you're staying at the Radisson, do you lose all your
8 rights to privacy?

9 A. No, you should not. I mean they have a responsibility to
10 their guests. They say that they have that responsibility
11 and it's pretty clear that, legally, they have that
12 responsibility.

13 Q. But did they treat you that way?

14 A. No, they did not.

15 Q. Okay.

16 A. There is one other point on this is that it says if they
17 enter the room while it's being cleaned with the door
18 open, have the guest enter their room key into the door
19 before letting that person into the room.

20 Q. Do you believe that policy was followed?

21 MR. KOSTELLO: Same objection.

22 A. No, it was not.

23 BY MR. DePERNO:

24 Q. Anything else relevant in that document?

25 A. There was, yeah, there was. I think there was -- it was

1 -- it just talks about the idea of ensuring the actual
2 room number is not given out, even if a person claims that
3 they've forgotten the room number.

4 MR. DePERNO: All right. Let's mark this as
5 next exhibit, 8.

6 MR. KOSTELLO: Okay.

7 MR. DePERNO: I can do that if you've got a
8 sticker.

9 MR. KOSTELLO: Here.

10 (At 4:26 p.m., Deposition Exhibit Number 8 was
11 marked.)

12 BY MR. DePERNO:

13 Q. You also brought Pages 513 through 532. This is labeled
14 Radisson Training Manual.

15 What was the purpose of bringing that?

16 A. The training manual, inside of this is is they gave it to
17 me and this discusses the manager on duty functions and
18 the manager's duty as far as their responsibility. And I
19 just found it interesting to go through this because it's
20 pretty clear that the manager on duty has a responsibility
21 to maintain, you know, obviously the security and privacy
22 of the guests, in the, in the job description itself, and
23 they have procedures related to those, you know, to those
24 possibilities and those incidents.

25 And so it does say, it says MOD, so manager on

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1 duty, you know, obviously their accountability, but it
2 says, it also says prepare reports as requested to ensure
3 appropriate corrective actions may be taken and develop
4 more informative database for improved management
5 decisionmaking and critical evaluation of work activities
6 and guest service in such areas.

7 It says guest complaints --

8 Q. Let me stop you there.

9 A. Yep.

10 Q. Do we have any of those reports or complaints that were
11 created by the Radisson regarding you?

12 A. We do not.

13 Q. Go on.

14 A. And, and it says that there's -- that the manager on
15 duty's responsibility is to, you know, obviously check
16 premises, monitor the operations; but it says in Number 4
17 on Page 4, it says respond, resolve and take appropriate
18 action on guest complaints or problems to ensure excellent
19 guest service while safeguarding the hotel's interests;
20 represents the hotel in contact with the general public.

21 So, you know, then it goes on to those sub
22 things to do with guest complaints and creating those
23 reports, and those have not been provided to us.

24 MR. DePERNO: All right. We'll mark this one as 9.

25 (At 4:29 p.m., Deposition Exhibit Number 9 was

1 marked.)

2 BY MR. DePERNO:

3 Q. You brought another stack of documents. I don't know if
4 these are all tied together or separate.

5 A. They were pieces. I can go through, if you want, what
6 they were about.

7 Q. Okay. Let's start.

8 A. Some of them he may have already covered. These were --
9 this is from the Police Report, talking about the
10 extortion, and it shows the involvement, you know, and
11 the, the Police Report connects the idea of the
12 communications between Joshua Cline and Keith Allard.

13 What we found from the phone records is that
14 Joseph Gamrat spoke to Keith Allard's hundreds of times
15 during the extortion, and he notes that it happened
16 before, during and after each extortion text.

17 So it also says that Joseph Gamrat had four
18 video recordings on his, on his phone that looked like
19 they had been sent to, sent to him from someone else.
20 That was that one.

21 Q. Did we ever receive those four video recordings?

22 A. We did not, not that I'm aware of.

23 Q. Was the next page part of that first page?

24 A. These were the deleted texts --

25 Q. From whom?

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1 A. -- from Joe Gamrat's deleted texts, that he was attempting
2 to delete them. It says: "By the way, he obviously
3 didn't take a shower this a.m. as the shower curtain was
4 out of the tub. Must have had a bath last night."

5 Q. How would Joe Gamrat know that your shower curtain was out
6 of the tub?

7 MR. KOSTELLO: Form and foundation. How can he
8 possibly answer that?

9 A. Well, the only way he would know that is if he was in the
10 hotel room.

11 BY MR. DePERNO:

12 Q. And who gave him access to the hotel room?

13 MR. KOSTELLO: Form and foundation.

14 A. That happened through the hotel. He said that he was in
15 the hotel room.

16 BY MR. DePERNO:

17 Q. Did you give Joe Gamrat access to your hotel room?

18 A. I did not. Joe Gamrat also gained access to the, to the
19 reservation information and other email and political
20 databases through Allard, Graham and Cline.

21 Q. Okay.

22 A. Hold on. There was one other, I think, where there was
23 Allard passing back and forth that she's -- you know,
24 meeting times and, and just very specific stuff. They
25 were coordinating between him and Joe Gamrat.

1 And the issue was is that Cindy obviously was
2 estranged from her husband, she had told that to the
3 hotel, she had told them there had been physical
4 altercations, she had asked for them to place, you know,
5 place her, her information in a protective spot so he
6 wouldn't know about those reservations.

7 And she'd also told the staff at the House and
8 she told Allard, Graham and Cline not to provide any
9 information in communication with her husband at all. And
10 of course after that, I believe there is 244 phone calls
11 between himself and Allard.

12 Q. What's the second line up here state?

13 A. It says: "Hotel room is considered private" was the first
14 one; the second text says, "Hotel has now told me that his
15 reservation is for Tuesday and Wednesday, not Monday and
16 Tuesday."

17 Q. So does that give you an indication that the hotel was
18 giving out your information about your reservations?

19 A. Yes.

20 Q. Is the hotel allowed to do that?

21 MR. KOSTELLO: Form and foundation.

22 A. No.

23 MR. DePERNO: We'll mark this as 10.

24 (At 4:33 p.m., Deposition Exhibit Number 10 was
25 marked.)

1 A. The text message --

2 BY MR. DePERNO:

3 Q. Hold on.

4 A. Oh, go ahead.

5 Q. The next page, what is that a page of?

6 A. The page is, this is a series of texts, the actual texts,
7 the extortion texts that were received from May 29th on --
8 or I'm sorry -- May 19th on. And there's one that I
9 highlighted that says, "I pay them better for info,
10 Radisson."

11 Q. And who is this text message -- this is a text message
12 from the extortionist?

13 A. Yes. And it says, "Pay people better to keep quiet." And
14 we obviously see from the other information from Joe, he
15 was getting information related to, to my stay.

16 Q. So the extortionist is actually telling you that he pays
17 people for information hashtag Radisson?

18 A. That's correct.

19 MR. DePERNO: Will you mark that as 11?

20 (At 4:34 p.m., Deposition Exhibit Number 11 was
21 marked.)

22 BY MR. DePERNO:

23 Q. What's the next two pages?

24 A. These next two pages are the extortion texts where the
25 Radisson is mentioned in the burner phone. And it says --

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1 let me see if I can find it here. It's on -- this one's
2 on 5-28 where he discusses that he followed -- he had
3 sexual intimacy dialogue, so he could clearly understand
4 who -- so he had provided this information to a man named
5 Tim Skubick. And Tim Skubick is a political reporter in
6 Lansing. And it says: "I drove up to the island
7 yesterday on your dime. I shared 17 minutes of audio, 9
8 to 11 minutes of sexual intimacy, and 5 to 6 minutes of
9 dialogue so he could clearly understand who he was
10 listening to. He's going to label me as an anonymous
11 source, a credible anonymous source, complete with
12 photographic and video evidence from DC and from the
13 Radisson."

14 Q. So this is the extortionist sending you this text message?

15 A. That's correct.

16 Q. And he's referencing, in this extortion text message, that
17 he has talked to Tim Skubick?

18 A. That is correct.

19 Q. And that he's provided Tim Skubick with information?

20 A. That is correct.

21 Q. And that that information includes photographic and audio
22 evidence; is that correct?

23 A. Yes.

24 Q. And from the Radisson?

25 A. Yep.

1 Q. Okay.

2 MR. DePERNO: We'll label this as 12.

3 (At 4:36 p.m., Deposition Exhibit Number 12 was
4 marked.)

5 A. This, this is a little different, a series of chats, and
6 so this is again from, from Joe Gamrat's phone, and it was
7 in, in series, so I just printed each one of them out.
8 I'll just read them and then, if you have questions, you
9 can stop me: "What would you make of this? Normal or
10 abnormal?" There was a picture, a thumbnail to it. And
11 so the --

12 BY MR. DePERNO:

13 Q. Who's that one from?

14 A. This is, this is from Joe Gamrat.

15 Q. To who?

16 A. It's from Joe Gamrat to another number. I believe that
17 number was Vincent, Vincent Krell.

18 Q. So this is a conversation between Joe Gamrat and Vincent
19 Krell?

20 A. That's correct.

21 Q. And Joe Gamrat starts the information by saying what?

22 A. "What would you make of this? Normal or abnormal?"

23 Q. And you say there was a picture?

24 A. Yes. There was a thumbnail on the other versions that I
25 talked about, there was a picture of it that he's saying

1 went with that. I couldn't open it though.

2 Q. Okay. And what does Vincent Krell say?

3 A. What the, you know, basically saying, "What the F her
4 room?" He writes "his" room.

5 Q. So hold on a second.

6 A. Okay.

7 Q. So the conversation is a picture of something and they're
8 talking about what do you make of this, Vincent Krell asks
9 if that's her room, and Joe Gamrat replies his room?

10 A. Yes.

11 Q. Okay. Go on.

12 A. And then he writes, Vincent Krell writes, "His clothes are
13 still there."

14 Q. How does Vincent Krell know if your clothes are still in
15 the room?

16 MR. KOSTELLO: Form and foundation.

17 A. I mean I don't know how he knows but he's saying his
18 clothes are still there. He's making that statement.

19 BY MR. DePERNO:

20 Q. Is there any way for Vincent Krell to see through walls?

21 MR. KOSTELLO: Form and foundation.

22 BY MR. DePERNO:

23 Q. Do you know if he has that ability?

24 A. I do know that in their job -- I'm having now more
25 understanding of what they did for work -- that they

1 planted a lot of surveillance equipment for the company
2 that they worked for, which was called, I think it was
3 called Buckman Chemicals. And so in the plants where they
4 worked, they planted video surveillance to make sure that
5 the things that they were working on were not tampered
6 with by their competition.

7 Q. Okay.

8 A. So both of them had a lot of experience related to
9 surveillance, both it looked like audio, video, still
10 pictures, that sort of thing.

11 Q. Nevertheless, Vincent Krell makes mention that your
12 clothes are still in the room?

13 A. He does.

14 Q. What does Joe Gamrat say?

15 A. Joe Gamrat said, "He hasn't checked out yet."

16 Q. How would Joe Gamrat know if you checked out?

17 MR. KOSTELLO: Form and foundation.

18 A. That information, that information would've had to have
19 been provided to someone, from someone to him, from
20 someone at the hotel to him. He says, "But he is
21 scheduled to check out."

22 BY MR. DePERNO:

23 Q. Okay. That's from Joe Gamrat?

24 A. This is from Joe Gamrat.

25 Q. How would Joe Gamrat know what your schedule is to check

1 out?

2 MR. KOSTELLO: Same objection.

3 A. It's being provided, it's being provided to him on
4 February 12th that I had not yet, I had not yet checked
5 out, and I believe that I mean that's from the Radisson
6 because that's where you'd let him know what time you're
7 checking out.

8 Normally, on Thursday, we'd check out late
9 because you had what was called -- you had session until
10 sometimes noon, sometimes 3:00 or 4:00, so they would
11 allow State Representatives to check out after session
12 ended.

13 BY MR. DePERNO:

14 Q. But did you tell Joe Gamrat when you were checking out?

15 A. No.

16 Q. What's the next one?

17 A. It says, it says -- and then Vincent Krell writes,
18 "Thought you were going home," and then the response. So
19 it looks like it's continuing. There seems to be
20 something missing in there. But he says, "I am on my way
21 now. Was looking for potential evidence like trash or
22 wrapper. Nothing -- which doesn't say a whole lot
23 though."

24 Q. So Joe Gamrat's looking for trash or a wrapper in your
25 room?

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1 A. That's --

2 MR. KOSTELLO: Form and foundation.

3 A. This conversation happens one after another over, in this
4 situation, it's over about nine minutes.

5 BY MR. DePERNO:

6 Q. How does Joe Gamrat get into your room to look for trash
7 or a wrapper?

8 MR. KOSTELLO: Same objection.

9 A. Someone obviously gave him access.

10 BY MR. DePERNO;

11 Q. What kind of wrappers might he be looking for?

12 A. My guess is it would be he's looking for some sort of
13 confirmation of, of sexual activity.

14 Q. Okay.

15 A. And then he writes: "I just think it's strange that both
16 beds are used. I typically sleep in one and put my
17 suitcase or bag on the other. You? Heat was high too
18 which is just the way Cindy likes it."

19 Q. So how does Joe Gamrat know which beds were used?

20 MR. KOSTELLO: Same objection.

21 A. He would -- he obviously was in the room and also was able
22 to know that the heat was, that the heat was up.

23 And then Krell responds to that and says, "Yeah
24 someone was in both of those beds."

25 (At 4:41 p.m. Attorney Bye left proceedings.)

1 BY MR. DePERNO:

2 Q. So how does Vincent Krell know that someone was in both
3 beds?

4 MR. KOSTELLO: Same objection.

5 A. Obviously, he's, he's looking at the room.

6 BY MR. DePERNO:

7 Q. Okay. And if Vincent Krell says he was in Kentucky, then
8 how is he looking in the room?

9 MR. KOSTELLO: Same objection. I mean
10 seriously?

11 A. Obviously either he's in the room and he's home, because
12 his family does live here in Michigan, actually lives not
13 too far from here, and I believe he even owned a house at
14 that time here. Either he was here and actually was home
15 for that time or there was some sort of still or video
16 pictures.

17 BY MR. DePERNO:

18 Q. Or is it possible Joe Gamrat's telling him what's in the
19 room?

20 MR. KOSTELLO: Same objection.

21 A. That's, that's true.

22 Joe Gamrat then says from -- this is from Joe
23 Gamrat, rather, and it says, "Odd right?", and "He checked
24 in at 7:51 Tuesday morning."

25 BY MR. DePERNO:

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1 Q. How does he know you checked in at 7:51?

2 MR. KOSTELLO: Same objection.

3 A. The hotel had to be providing that information to him.

4 BY MR. DePERNO:

5 Q. That's a pretty specific number.

6 A. It is. And he's pretty specific about the fact that he
7 was getting that information from the hotel. In his
8 deposition, he states that.

9 And then Joe Gamrat, this one's from Joe Gamrat,
10 "I'll show you one of these days. We could be Krell
11 Gamrat Bureau of Investigation or KGB!" So they're
12 talking about doing surveillance, you know. Obviously
13 they're, they're obviously -- exclamation point.

14 So -- and then he -- Krell then says, "Private
15 investigators. We could make a killing. No pun in
16 intended."

17 Q. A killing of who?

18 MR. KOSTELLO: Same objection.

19 A. Yeah. He's stating he could make a killing. Yeah.
20 Sounds like they -- there was some sort of plan for that,
21 so -- pun something. I'm not sure.

22 MR. DePERNO: For the record, opposing counsel
23 is laughing at the pun.

24 BY MR. DePERNO:

25 Q. What's next?

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1 A. And then Joe Gamrat states in the next one: "Don't know
2 for certain. When I called that morning they said there
3 were two reservations. And I know that his vehicle was
4 there by 9 which is understood due to the start time for
5 work. But??? He also said last night at the meeting that
6 his day started at 4:30 a.m. Cindy called him at 7:21
7 a.m. for 4 minutes, so maybe he got up at 4:30, got to
8 Lansing around 7ish and checked in, calling Cindy from the
9 hotel phone? Had breakfast? Anyways, still smells bad."

10 Q. So who's that from again?

11 A. This is from Joe Gamrat.

12 Q. How does Joe Gamrat know that there are two reservations?

13 MR. KOSTELLO: Same objection.

14 A. That information's being provided to him from the hotel.

15 BY MR. DePERNO:

16 Q. Okay.

17 A. But Joseph Gamrat, in this last one in this section, and
18 this is on 2-11: "I was thinking of sometime in the
19 middle of the night. That way if he answers the phone
20 after being awakened from sleep in her room, then bingo.
21 After all, someone could be calling him, Cindy answers?
22 That would be suspicious too (from someone else's
23 perspective) since the room is in his name."

24 Q. How does Joe Gamrat know the room was in your name?

25 MR. KOSTELLO: Same objection.

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1 A. The hotel was providing that information to him.

2 MR. DePERNO: Okay. We'll mark these as
3 whatever's next.

4 (At 4:46 p.m., Deposition Exhibit Number 13 was
5 marked.)

6 BY MR. DePERNO:

7 Q. So if you're having an affair and staying at the Radisson,
8 do you give up your rights to privacy?

9 A. No.

10 Q. And if the Radisson gives out your private information to
11 someone, would they be violating your privacy?

12 A. Yes.

13 Q. Opposing counsel asked you earlier if you had any evidence
14 of any recording device in any of your rooms at the
15 Radisson.

16 Do you recall that?

17 A. Yes.

18 Q. The information that we just went over, isn't that
19 evidence of recording devices in your room?

20 MR. KOSTELLO: Form and foundation.

21 A. Yes.

22 BY MR. DePERNO:

23 Q. Okay.

24 A. Yes. There were plenty of text messages. As a matter of
25 fact, there was a conversation between David Horr and

1 Joseph Gamrat where they discussed the editing of that
2 recording and that they're having someone do the work on
3 it and they need it done ASAP.

4 MR. DePERNO: Okay. Give me a couple minutes.

5 THE WITNESS: Just you and me?

6 MR. KOSTELLO: Just you and me.

7 (At 4:48 to 4:50 p.m. recess taken.)

8 MR. DePERNO: I don't have any other questions.
9 However, I don't think we identified the name of the
10 person who was here from Block 100?

11 MR. KOSTELLO: Jonathan Bye.

12 MR. DePERNO: Jonathan Bye. All right. I have
13 no other questions.

14 MR. KOSTELLO: I'm all set.

15 (At 4:50 p.m., deposition concluded.)
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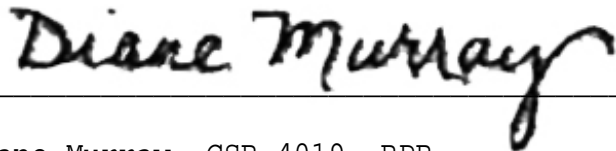
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1 STATE OF MICHIGAN)
2) SS
3 COUNTY OF KENT)
4

5 I certify that this transcript, consisting of 248 pages,
6 is a complete, true and correct record of the testimony of said
7 witness held in this case on Tuesday, January 28, 2020.

8 I also certify that prior to taking this deposition, the
9 witness was duly sworn to tell the truth.
10

11 Date: 02-08-2020
12
13
14

15 
16

17 Diane Murray, CSR-4019, RPR

18 County of Kent, State of Michigan

19 My Commission expires: 10-12-2025
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25

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68:20 69:8 70:24 71:14 86:25
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todd@toddcourser.com.
70:23

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toddcourser72@gmail.com

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Extortion Texts:

5-19-15

Boo!

The phone is a burner...dont bother trying.

Cindy sounds like she's great in the sheets. You however, have no stamina.

Silence in this case can be VERY detrimental. Careers, political arena and of course families, Georgeann, Joe, Fon, Dan....whew, it could be disastrous really, and of course the kids.

5-20-15

DC sucked, thought you two would be alone but you dragged family along...cost me 1200.00 that trip.

Todd...have your phone swept. Why do you only know 4 vets, we're everywhere..

"Courser's a 'NO' on 4408"? Still think I'm bluffing?

What are they going to do to defeat you when you're an incumbent? They won't need 150k....they have me.

Messages will come from a different number soon. This ones getting dumped.

Nobody's asked what my intentions are, what I want. Odd?



I have no agenda per se. I have no desire to destroy families. I give a rats ass about politics. Vaupel sucks though. You both now know I hold significant evidence of your affair. Career suicide, can't show your face, empty your office shit. Stay tuned...have a splendid Pure Michigan day!

Relax. I'm not leaking anything...yet. Pay people better to keep quiet. I pay them better for info. #Radisson

Let me make this CRYSTAL CLEAR. I need some open dialogue I've heard from you Cindy...better tell Todd to man-up. As long as I'm appeased, my cargo will never reach port so to speak. Can I please get a confirmation.

5-21-15

I can show your whereabouts when not in session, meetings, or together. Those whereabouts DO NOT include seedy alleys in Lansing having sex with men Todd Grow up. I sell non-fiction...you however spin fairy tales and fiction. That email can't find another inbox....oh, change your passwords too. Dumb shit

Good afternoon. Contrary to what you may think, I have other cases I'm working. Todd, go to your weekend retreat...enjoy this last holiday as a state employee. Big changes next week kids, as I change the political landscape.

You both can prevent this really....you've never asked how?

5-22-15

Hello?

Cindy, Todd, Dan..we all on here?

5-23-15

I'm letting everybody off the hook....on 1 condition only. You resign Todd, Tuesday. Mention your health, your new found family bond. DO NOT mention Cindy. AT ALL. Call me karma....this is for the others too!

5-26-15

Rise and Resign day....Good morning Todd....hope you found your soul-searching weekend peaceful.

5-27-15

I've reached out to an old friend with a little teaser. He's been fact-finding since 11am or so yesterday, building the puzzle, piece by piece. I told him I WILL NOT confirm the names of the woman/women. Rest assured, Tim Skubick will be in touch with you. Confirm the affair(s). NO NAMES.

5-28-15

517.643.0013

Call it....go ahead, do it. It's a personal cell.

Skubick questioned the authenticity of some of the audio. Not the story per se, rather how either of you let this happen. Not the affair....getting bugged. I drove up to the island yesterday, on your dime. I shared 17 minutes of audio. 9-11 of sexual intimacy and 5-6 of dialogue so he could clearly understand who he was listening too. He's going to label me as an anonymous source, a credible anonymous source. Complete with photographic and video evidence from DC and the Radisson, it was any easy sell. Let Joe and Fon know whats coming please.

6-9-15

Uh oh... good luck. I just got back in the states and heard the news.

7-8-15

Wow! Firing staff...be careful, the boys have A TON on you...they know everything. I saw you recently, Flint then near Great Lakes Crossing later. You guys are easy but idiots. Oh, the Speaker is meeting with me on 8/3.

7-17-15

I was off the last few days and was offered the opportunity to do some surveillance....little did I know you'd drag me all the way to Flint...I used to work out of that Target strip mall and often frequented Barnes/Noble...Keith and Ben

were right, as was Joe...the inevitable WILL happen. Careers, families, homes...shattered. We simply have too much on you, the server and police involvement notwithstanding.

7-21-15

I've been digging. How was camping Cin? Todd, your wife had an affair before, but then again, so have you...before Cindy. I may need some funding? Offers to help?

7-22-15

I came across this number in this file; 260-504-6649. its not Dans or Tims or either of yours? Whos is it? Nevermind, I'll text it myself...

8-7-15

Amazing what would have happened had you simply listened. Too late.

KABOOM!

It went global fast. Resign NOW Todd as Candy has...ASKED. You too Cindy, spare the kids and Joe. Resign, both of you. TODAY. Chad has scratched the surface....Ben has lots of audio...intriguing, damning. I have steamy audio, pics, video from DC. Resign, or Chad gets it all.

From: georgerathburn520@gmail.com
Sent: 5/20/2015 11:36:36 A.M. Eastern Daylight Time
Subj: Breaking Scandal - Todd Courser

Breaking Scandal!
State Rep Courser Caught behind a Lansing
nightclub!

Christian conservative or Godless Addicted
Monster!

Truth!!!! Courser secretly Removed from
Caucus several weeks ago due to male on
male paid for sex behind a prominent
Lansing nightclub! Action soon coming to
remove Courser!

He is a bi-sexual porn addicted sex
deviant! All over Lansing since the election
and that is why he was thrown out of
caucus!

He is a FREAK! He is a gun toting bible
thumping cock sucking freak! His whole
personalit is a sham! He is a tool pawn of
establishment

In past election he was accused of child
molestation! And he done things that should
have him in jail!

He doesn't work in Lansing he is just there
feeding his habit of alcohol drugs and illicity

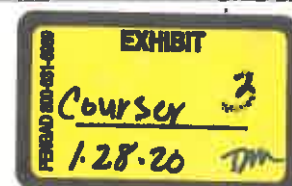


sex! Most days he is high stoned on drugs and alcohol while he is supposed to be voting at the state house!

Rep Gamrat Gamrat knew about it all along and has helped cover for his actions! has played along and been complicit in his sorted activities and has covered for him over and over and her involvement is the real reason she was thrown out! She shouldn't have ever been trusted as state rep or national committeewoman she is a tramp, a lie, and a laugh for this bi-sexual cock sucking monster!

This Teabaqger takes his title seriously! Moaning and groaning fucking and screwing man on man man on woman and whoever he can pay! Pictures and video youtube tell the hoel story and of all of his exploits behind night clubs and hotels at some of the best and worst places in Lansing with all the grinding hot and sweaty sex and drug use – it is too much to hide anymore he is a scam!

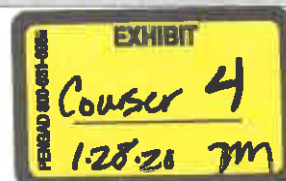
Inbox	From [REDACTED] David Forsmark Direction: Incoming	5/21/2015 8:49:45 AM(UTC-4)	Network: 5/21/2015 8:49:57 AM(UTC-4)	Read	As in keep your...	
1487	SMS Messages			Responsive	3/21/2018 9:36:42 PM	3/21/2018 9:36:42 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To [REDACTED] David Forsmark Direction: Outgoing	5/21/2015 8:49:06 AM(UTC-4)		Sent	Lol what?	
1488	SMS Messages			Responsive	3/21/2018 9:36:39 PM	3/21/2018 9:36:39 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] David Forsmark Direction: Incoming	5/21/2015 8:48:49 AM(UTC-4)	Network: 5/21/2015 8:49:00 AM(UTC-4)	Read	Chin up.	
1489	SMS Messages			Responsive	3/21/2018 9:36:58 PM	3/21/2018 9:36:58 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Todd Courser Direction: Incoming	5/21/2015 8:36:23 AM(UTC-4)	Network: 5/21/2015 8:36:18 AM(UTC-4)	Read	Thanks	
1490	SMS Messages			Responsive	3/21/2018 9:35:49 PM	3/21/2018 9:35:49 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To [REDACTED] Todd Courser Direction: Outgoing	5/21/2015 8:23:16 AM(UTC-4)		Sent	You have education meeting. Just testimony. No veterans committee. I'll be in a bit late. Maybe 10ish	
1491	SMS Messages			Responsive	3/21/2018 9:35:17 PM	3/21/2018 9:35:17 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Todd Courser Direction: Incoming	5/20/2015 6:44:07 PM(UTC-4)	Network: 5/20/2015 6:44:07 PM(UTC-4)	Read	chat further on it feel free to call me or if you want to sit down with Cindy and I on what changes are being made heading forward I know we both would be open	
1492	SMS Messages			Responsive	3/21/2018 9:35:11 PM	3/21/2018 9:35:11 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Todd Courser Direction: Incoming	5/20/2015 6:44:05 PM(UTC-4)	Network: 5/20/2015 6:44:06 PM(UTC-4)	Read	to that.	
1493	SMS Messages			Responsive	3/21/2018 9:35:06 PM	3/21/2018 9:35:06 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Todd Courser Direction: Incoming	5/20/2015 6:44:02 PM(UTC-4)	Network: 5/20/2015 6:44:01 PM(UTC-4)	Read	Ben I realize that was probably not the way to handle that with you and I know you are now probably making a decision on how to proceed forward; if you want	
1494	SMS Messages			Responsive	3/21/2018 9:34:44 PM	3/21/2018 9:34:44 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Todd Courser Direction: Incoming	5/20/2015 1:41:58 PM(UTC-4)	Network: 5/20/2015 1:41:52 PM(UTC-4)	Read	I am working to correct it all the best I can, and even though I may not take your advice I always appreciate it. I appreciate you Ben thanks!	
1495	SMS Messages			Responsive	3/21/2018 9:34:36 PM	3/21/2018 9:34:36 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted

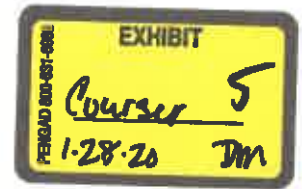


Inbox	From: [REDACTED] Todd Courser Direction: Incoming	5/20/2015 1:41:52 PM(UTC-4)	Network: 5/20/2015 1:41:45 PM(UTC-4)	Read	I want to thank you for your help on all that clerical stuff yesterday; I know it was a lot to take in and there are probably a few items to clean up on it, but	
1496	SMS Messages			Responsive	3/21/2018 9:34:28 PM	3/21/2018 9:34:28 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From: [REDACTED] Steve Carra Direction: Incoming	5/20/2015 1:29:04 PM(UTC-4)	Network: 5/20/2015 1:29:15 PM(UTC-4)	Read	Call when u can please	
1497	SMS Messages			Responsive	3/21/2018 9:34:13 PM	3/21/2018 9:34:13 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From: [REDACTED] Steve Carra Direction: Incoming	5/20/2015 11:22:05 AM(UTC-4)	Network: 5/20/2015 11:22:18 AM(UTC-4)	Read	Oh I see. Figured u were around. U got voicemail, ya? What about Keith? Will he be around? How about Cindy and Todd?	
1498	SMS Messages			Responsive	3/21/2018 9:34:09 PM	3/21/2018 9:34:09 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To: [REDACTED] Steve Carra Direction: Outgoing	5/20/2015 11:21:11 AM(UTC-4)		Sent	Lol I'm sorry buddy. I won't be in today.	
1499	SMS Messages			Responsive	3/21/2018 9:33:53 PM	3/21/2018 9:33:53 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From: [REDACTED] Steve Carra Direction: Incoming	5/20/2015 9:25:41 AM(UTC-4)	Network: 5/20/2015 9:25:54 AM(UTC-4)	Read	Cody Mott just buzzed. Wants to know about Courser coffee hours and reminding you about 10am meeting u have.	
1500	SMS Messages			Responsive	3/21/2018 9:33:40 PM	3/21/2018 9:33:40 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To: [REDACTED] Keith Allard Direction: Outgoing	5/20/2015 1:57:21 AM(UTC-4)		Sent	https://www.dropbox.com/s/5mm1h8jpb3cdt9/Voice%20002.m4a?dl=0	Yes
1501	SMS Messages			Responsive	3/21/2018 9:33:32 PM	3/21/2018 9:33:32 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From: [REDACTED] Todd Courser Direction: Incoming	5/20/2015 1:31:35 AM(UTC-4)	Network: 5/20/2015 1:31:31 AM(UTC-4)	Read	for all your help to this point. God bless you Ben.	
1502	SMS Messages			Responsive	3/21/2018 9:33:28 PM	3/21/2018 9:33:28 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From: [REDACTED] Todd Courser Direction: Incoming	5/20/2015 1:31:34 AM(UTC-4)	Network: 5/20/2015 1:31:30 AM(UTC-4)	Read	crucifixion is in order here so I'll just keep praying on it and you may need to consider that and if you want to get out let me know. Thanks for listening and	
1503	SMS Messages			Responsive	3/21/2018 9:33:19 PM	3/21/2018 9:33:19 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From: [REDACTED] Todd Courser Direction: Incoming	5/20/2015 1:31:29 AM(UTC-4)	Network: 5/20/2015 1:31:24 AM(UTC-4)	Read	Thanks I appreciate your help. Have a good night. No I don't think I feel resigning at this point is the way to go down if they have something I think a	
1504	SMS Messages			Responsive	3/21/2018 9:33:06 PM	3/21/2018 9:33:06 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted

Sent	To [REDACTED] Todd Courser Direction: Outgoing	5/20/2015 1:24:40 AM(UTC-4)		Sent	I don't know what the answer is but this isn't it. This kind of stuff never stays hidden... its going to blow up and I can't help cover it up. If it wasn't true I would go to the end of the earth to defend you but I can't help you cover it up. My best advice consider resigning. You may be able to protect Cindy and her family and your family. I'm sorry I really am. I've prayed on it and I just don't feel right with it.	
1505	SMS Messages			Responsive	3/21/2018 9:32:59 PM	3/21/2018 9:32:59 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Todd Courser Direction: Incoming	5/20/2015 1:07:41 AM(UTC-4)	Network: 5/20/2015 1:07:34 AM(UTC-4)	Read	God brought me here and had me here and maybe it hasn't accomplished anything but I have to believe it has done some good inspite of me.	
1506	SMS Messages			Responsive	3/21/2018 9:32:53 PM	3/21/2018 9:32:53 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Todd Courser Direction: Incoming	5/20/2015 1:07:35 AM(UTC-4)	Network: 5/20/2015 1:07:33 AM(UTC-4)	Read	this from blowing all to hell then I would like to give it this shot. Maybe it's nothing and maybe I should not have ever run but I felt and still feel that	
1507	SMS Messages			Responsive	3/21/2018 9:32:47 PM	3/21/2018 9:32:47 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Todd Courser Direction: Incoming	5/20/2015 1:07:31 AM(UTC-4)	Network: 5/20/2015 1:07:28 AM(UTC-4)	Read	Hey Ben if your not coming back please let me know. I know it doesn't make sense and maybe it doesn't if you see another way then let me know, but if I can keep	
1508	SMS Messages			Responsive	3/21/2018 9:32:31 PM	3/21/2018 9:32:31 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Todd Courser Direction: Incoming	5/19/2015 10:00:57 PM(UTC-4)	Network: 5/19/2015 10:01:08 PM(UTC-4)	Read	I am sorry for that.	
1509	SMS Messages			Responsive	3/21/2018 9:32:19 PM	3/21/2018 9:32:19 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To [REDACTED] Todd Courser Direction: Outgoing	5/19/2015 9:52:13 PM(UTC-4)		Sent	Yeah.... you're kind of freaking me out.	
1510	SMS Messages			Responsive	3/21/2018 9:32:07 PM	3/21/2018 9:32:07 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To [REDACTED] [REDACTED] Direction: Outgoing	5/19/2015 9:47:01 PM(UTC-4)		Sent	Yeah I would say that's pretty likely	Yes
1511	SMS Messages			Responsive	3/21/2018 9:32:01 PM	3/21/2018 9:32:01 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] [REDACTED] Direction: Incoming	5/19/2015 9:45:46 PM(UTC-4)	Network: 5/19/2015 9:45:55 PM(UTC-4)	Read	Todd better not keep u all night	Yes
1512	SMS Messages			Responsive	3/21/2018 9:31:50 PM	3/21/2018 9:31:50 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To [REDACTED] [REDACTED] Direction: Outgoing	5/19/2015 9:45:07 PM(UTC-4)		Sent	I have to go. No choice. I don't want to argue about this	Yes
1513	SMS Messages			Responsive	3/21/2018 9:31:43 PM	3/21/2018 9:31:43 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted

Sent	To [REDACTED] Dan Couser Direction: Outgoing	5/26/2015 7:45:33 AM(UTC-4)		Sent	How was the weekend? Anything I should be aware of go down? Todd and Fon look like death in the family picture	
1481	SMS Messages			Responsive	3/21/2018 8:42:12 PM	3/21/2018 8:42:12 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Bob Murphy Direction: Incoming	5/26/2015 7:30:13 AM(UTC-4)	Network: 5/26/2015 7:30:11 AM(UTC-4)	Read	Ben, are we all set for a Town Hall next Tuesday? We want to put notice in paper today. Please call me.	
1482	SMS Messages			Responsive	3/21/2018 8:41:20 PM	3/21/2018 8:41:20 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Dan Sowash Direction: Incoming	5/22/2015 2:03:01 PM(UTC-4)	Network: 5/22/2015 2:02:57 PM(UTC-4)	Read	Just making sure you're okay. Hearing shits going to hit the fan with your office.	
1483	SMS Messages			Responsive	3/21/2018 8:41:17 PM	3/21/2018 8:41:17 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To [REDACTED] Dan Sowash Direction: Outgoing	5/22/2015 1:58:20 PM(UTC-4)		Sent	Nope took th3 day off. What's up	
1484	SMS Messages			Responsive	3/21/2018 8:41:13 PM	3/21/2018 8:41:13 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Dan Sowash Direction: Incoming	5/22/2015 1:48:53 PM(UTC-4)	Network: 5/22/2015 1:49:01 PM(UTC-4)	Read	You working today?	
1485	SMS Messages			Responsive	3/21/2018 8:40:37 PM	3/21/2018 8:40:37 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To [REDACTED] Joshua Cline Direction: Outgoing	5/21/2015 8:57:06 PM(UTC-4)		Sent	Yeah I thought that was too much of a coincidence too	
1486	SMS Messages			Responsive	3/21/2018 8:40:31 PM	3/21/2018 8:40:31 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Joshua Cline Direction: Incoming	5/21/2015 8:56:42 PM(UTC-4)	Network: 5/21/2015 8:56:53 PM(UTC-4)	Read	I think the black maller is Joe. Dan gets texts the day he speaks with Joe...	
1487	SMS Messages			Responsive	3/21/2018 8:40:22 PM	3/21/2018 8:40:22 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Sent	To [REDACTED] Joshua Cline Direction: Outgoing	5/21/2015 8:55:13 PM(UTC-4)		Sent	Loi yeah... Dan and Ray were going to try and meet with Todd tonight. Dan got blackmail texts so he's going to ask about that and leave all of us out of it	
1488	SMS Messages			Responsive	3/21/2018 8:40:10 PM	3/21/2018 8:40:10 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted
Inbox	From [REDACTED] Joshua Cline Direction: Incoming	5/21/2015 8:53:53 PM(UTC-4)	Network: 5/21/2015 8:54:05 PM(UTC-4)	Read	Everything go ok? You need a big tub of White Russians. All this is so crazy.	
1489	SMS Messages			Responsive	3/21/2018 8:40:04 PM	3/21/2018 8:40:04 PM
Folder	Party	Time	All timestamps	Status	Message	Deleted





Ex-aides and recordings: Mich. lawmaker asked aide to conceal relationship

Chad Livengood, Detroit News Lansing Bureau Published 12:08 a.m. ET Aug. 7, 2015 | Updated 1:28 p.m. ET Aug. 7, 2015



(Photo: file)

Lansing — State Rep. Todd Courser planned the distribution of a fictional email alleging he had sex with a male prostitute in a bid to conceal his relationship with Rep. Cindy Gamrat, according to audio recordings obtained by The Detroit News (<https://soundcloud.com/detroitnews/rep-courser-tells-aide-his-misdirection-plan/seWMM>).

Courser, a Lapeer Republican, said on one recording the email was designed to create "a complete smear campaign" of exaggerated, false claims about him and Gamrat so a public revelation about the legislators' relationship would seem "mild by comparison."

Interviews with former House employees and the recordings show freshman lawmakers Courser and Gamrat, R-Plainwell, used their taxpayer-funded offices to maintain and cover up their relationship. Courser, 43, and Gamrat, 42, rose from the ranks of tea party activism, battled establishment Republicans to win seats in the House last year and formed their own legislative coalition (<http://story/news/politics/2015/01/18/firebrands-test-fellow-gop-lawmakers/21981025/>).

(<https://www.detroitnews.com/story/news/politics/2015/08/07/house-speaker-wants-investigation-courser-gamrat/31274709/>).

A now-former House aide recorded Courser in mid-May directing him to send Republican activists and operatives an email that would appear to be from an anonymous political enemy that said Courser had been "caught behind a Lansing nightclub" having sex with a man.



Cookie policy

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(On mobile devices, [click here to hear audio of Rep. Courser telling his aide his plan.](https://soundcloud.com/detroitnews/rep-courser-tells-aide-his-misdirection-plan/seWMM))
(<https://soundcloud.com/detroitnews/rep-courser-tells-aide-his-misdirection-plan/seWMM>).

After House aide Ben Graham rejected Courser's May 19 request to take a sick day on May 20 and send the mass email to Republicans across Michigan, he says he had duties removed in subsequent weeks. By early July, Courser fired Graham and Gamrat ended the employment of her aide, Keith Allard — about a month after giving them both pay raises — without explanation.

During the May 19 meeting, Courser instructed Graham to send rank-and-file Republicans across Michigan what he called "an over-the-top story that's obscene about me." It was designed, Courser said on the recording, to "inoculate the herd" — an apparent reference to Courser and Gamrat's followers in the tea party movement.

"It will make anything else that comes out after that — that isn't a video — mundane, tame by comparison," Courser, a married father of four, told Graham.



(On mobile devices, click here to hear audio of more of Rep. Courser's conversation with his aide.) (<https://soundcloud.com/detroitnews/this-is-a-crazy-way-to-deal-with-this-situation/s-n2duF>)

"I need a controlled burn," said the lawmaker, who used the term three times during the meeting.

During two meetings recorded by Graham, Courser and Gamrat, who is also married and has three children, did not dispute the aide's characterization of their relationship as an extramarital affair. They acknowledged the aide's discomfort but neither directly confirmed nor denied having a sexual relationship.

Courser and Gamrat both declined to comment about whether the dismissals of Graham and Allard were related to their unwillingness to help hide their relationship.

"I'm not going to talk about any kind of staff-related issues," Gamrat said in a telephone interview Monday.

On Monday morning, Courser told a Detroit News reporter and photographer to leave his Lapeer law office after being asked whether he wrote the email to get ahead of revelations of an affair.

Courser initially declined to hear the recording, but confirmed "that's my voice" as a Detroit News reporter played the recording in his office lobby. He then disputed the legality of the recording.

"I'm not commenting on what happened in my office between Ben (Graham) and I inside here," Courser said. "... I don't have any comment at all."

Socially conservative legislators

The pair are socially conservative legislators who often invoke their Christian faith (http://www.toddcourser.com/privatize_marriage_now) in pursuit of new legislation governing gun rights, abortion ([/story/news/politics/2015/01/18/firebrands-test-fellow-gop-lawmakers/21981025/](http://www.detroitnews.com/story/news/politics/2015/01/18/firebrands-test-fellow-gop-lawmakers/21981025/)) and marriage ([/story/news/politics/michigan/2015/08/19/gay-marriage-legislation-religion-michigan/29018125/](http://www.detroitnews.com/story/news/politics/michigan/2015/08/19/gay-marriage-legislation-religion-michigan/29018125/)). Their political alliance dates back to Courser's unsuccessful 2013 race for Michigan Republican Party chairman when Gamrat ran as his vice chairwoman.



Rep. Cindy Gamrat, R-Plainwell, talks with Rep Todd Courser, R-Lapeer, on the first day of the Legislature's new session in January. The two lawmakers, in an unusual arrangement, combined their office operations, with three aides effectively working for both of them. (Photo: Dale G. Young / The Detroit News)

But since being sworn into office in January, the self-described tea party "gladiators" ([/story/news/politics/2015/01/18/firebrands-test-fellow-gop-lawmakers/21981025/](http://www.detroitnews.com/story/news/politics/2015/01/18/firebrands-test-fellow-gop-lawmakers/21981025/)) have fought with Republican leaders. In an unusual move, Courser and Gamrat wrote a "liberty response" (http://www.toddcourser.com/liberty_response) to Republican Gov. Rick Snyder's State of the State address in January — the kind of retort that typically comes from Democrats.

In April, House Speaker Kevin Cotter kicked Gamrat out of Republican caucus meetings after she was caught leaking confidential discussions ([/story/news/politics/2015/04/17/house-speaker-gamrat-ousted-gop-caucus-leaks/25955035/](http://www.detroitnews.com/story/news/politics/2015/04/17/house-speaker-gamrat-ousted-gop-caucus-leaks/25955035/)) among GOP members. In one of his lengthy emails to people involved in Michigan politics, Courser called the House speaker a "bully" (http://www.toddcourser.com/stand_w_rep_gamrat) who was waging a "witch hunt" and who was "dead set against (Gamrat's) efforts to advance liberty and freedom."

In an unusual arrangement, Courser and Gamrat combined their office operations, having three aides effectively work for both of them.

Graham, Allard and former aide Joshua Cline said they internally opposed the relationship between Courser and Gamrat and how it complicated the operations of their jointly run House office.

"Everything in the office was done and intertwined around their relationship — from time management to who's going to get what bills," said Cline, a former legislative director who quit working for Courser and Gamrat in April after he said he confronted them about their relationship and "unprofessional" office behavior.

'This is a crazy way'

Graham and Allard said their House work situation began rapidly deteriorating after Courser called Graham to his Lapeer law office at 10:30 p.m. on May 19 with an alarming request to "destroy me."

Not knowing whether Courser would become volatile, Graham said he recorded the 90-minute conversation without his boss' knowledge. He subsequently provided an audio copy to The News.

A Michigan Court of Appeals ruling says participants in a conversation may record a discussion without getting the permission of other participants. "A recording made by a participant is nothing more than a more accurate record of what was said," the court decided in a 1982 case.

During the meeting, Courser said earlier in the day, after the House adjourned, he and Gamrat received identical text messages from an unknown phone number with a message about their relationship.

At several points, the House aide can be heard on tape advising Courser against distributing the email and urging him to acknowledge the relationship with Gamrat.

"This is a crazy way to deal with this situation," Graham told Courser on May 19 (<https://soundcloud.com/detroitnews/this-is-a-crazy-way-to-deal-with-this-situation/s-n2duE>). "Normally, people just like front it off, head it off themselves and say 'Hey, this happened' or quietly resign and go away."

Written using the pseudonym George Rathburn, the sexually explicit email was received by Republicans on May 20 and 21, the two days following Courser's meeting with Graham. The missive claimed Courser was removed from the House GOP caucus after being caught having "paid male on male sex behind a prominent Lansing night club," among other claims.

During the May 19 meeting, Courser twice read aloud portions of a draft email to Graham. Most of the sentences Courser recited match copies of the email sent to Republicans and obtained by The News.

"Nobody's gonna believe any of that," Graham said about the draft email.

"Correct," said Courser, who then added: "No, they'll believe some of it. They'll believe some of it."

Courser does not explicitly say he wrote the letter, only telling Graham "It's already written" and that Gamrat "agreed" with sending it.

"It's what they won't expect," Courser said. "At that point, if they don't have some really, really, really offensive stuff ... It will be tough for them to bring it after this."

The mass email calls Gamrat "a tramp" and claims she "has covered" for Courser "and her involvement is the real reason she was thrown out" of the House Republican caucus in April.

"In a controlled burn, you do a little bit of truth mixed in with a lot of lies," Courser explained to Graham.

At one point, a cellphone began ringing and Courser identified the caller as Gamrat. The recording picked up Courser's end of the conversation.

"Ben and I are sitting here," Courser said. "He's trying to, trying to mentally process everything I just told him."

During the meeting, Courser wonders aloud whether someone has pictures, video or audio recordings of him and Gamrat.

Aide rejects Courser's email request

After a 90-minute late night meeting, House aide Ben Graham responds to a text message in the early morning hours of May 20 from state Rep. Todd Courser, R-Lapeer, rejecting a request from his boss to take time off from his job to send an anonymous, salacious message about the lawmaker in a mass email to hundreds of Michigan Republicans.

Todd Courser

Hey Ben if your not coming back please let me know. I know it doesn't make sense and maybe it doesn't if you see another way then let me know, but if I can keep

1:07 AM

this from blowing all to hell then I would like to give it this shot. Maybe it's nothing and maybe I should not have ever run but I felt and still feel that

1:07 AM

God brought me here and had me here and maybe it hasn't accomplished anything but I have to believe it has done some good inspite of me.

1:07 AM

Ben Graham

I don't know what the answer is but this isn't it. This kind of stuff never stays hidden... Its going to blow up and I can't help cover it up. If it wasn't true I would go to the end of the earth to defend you but I can't help you cover it up. My best advice consider resigning. You may be able to protect Cindy and her family and your family. I'm sorry I really am. I've prayed on it and I just dont feel right with it.

1:24 AM

Todd Courser

Thanks I appreciate your help. Have a good night. No I don't think I feel resigning at this point is the way to go down if they have something I think a

1:31 AM

crucifixion is in order here so i'll just keep praying on it and you may need to consider that and if

The Detroit News

Aide refuses request

Courser also told Graham to claim he was sick the next day — a Wednesday — after sending the email. "You're going to do this and then go home," Courser told the state employee.

Graham asked Courser for time to think about the assignment of sending the email. The meeting ended at about midnight and he left the law office, Graham said. An hour later, Courser asked for an answer in a text message to Graham, which he released to The News.

"If you see another way then let me know," Courser wrote. "But if I can keep this from blowing all to hell, then I would like to give it a shot."

Graham replied by text that he wouldn't participate in a "cover-up" and urged his boss to resign from office.

"This kind of stuff never stays hidden. It's going to blow up, and I can't help cover it up," Graham wrote. "... My best advice, consider resigning. You may be able to protect Cindy and her family and your family."

In a reply, Courser said he didn't plan to resign "at this point."

"If they have something, I think a crucifixion is in order," the lawmaker wrote in a text.

It's unclear who ultimately sent the email. But during the meeting, Courser said he has someone who does "this sort of thing" for him using "gmail accounts." The email came from a georgerathburn520@gmail.com (mailto:georgerathburn520@gmail.com) address.

Anti-Courser email

This email attacking state Rep. Todd Courser, R-Lapeer, was sent to Republican activists around Michigan on May 20 and May 21. Most of the sentences in the email match what Courser recited May 19 to a House aide, captured on a recording, and said he wanted sent as a mass email to GOP operatives. What is shown is a small portion of the entire email, parts of which are sexually explicit.

From: George Borkshire <georgeborkshire@gmail.com>
Sent: Thursday, May 20, 2015 11:45 AM
To: David W. C. (no name), Mr. Jerry Lee

Breaking Scandal!
State Rep Courser Caught behind a Lansing nightclub!

Christian conservative or Godless Addicted Monster!

Truth!!!! Courser secretly Removed from Caucus several weeks ago due to male on male paid for sex behind a prominent Lansing nightclub! Action soon coming to remove Courser!

He is a bi-sexual porn addicted sex deviant! All over Lansing since the election and that is why he was thrown out of caucus!

The Detroit News

Staffer recorded meeting

Graham, a Lapeer native who worked on Courser's past campaigns for office and helped him build a political machine, said he took a vacation day the next day after rejecting the order to send the email and claim to be sick. On the following day, May 21, Graham recorded another meeting in Gamrat's House office in Lansing with both representatives present. Courser told Graham he wanted to "chat" about what took place two nights prior at his Lapeer office.

Courser and Gamrat can be heard apologizing to their 25-year-old aide, who made direct comments that they "are having an affair."

"How long has this been going on?" Graham asks on the recording. "A year? Two years?"

"No, I mean, I don't want to go through the circumstance of how that developed," Courser replied.

Graham then quizzed his bosses on when the relationship developed since the pair ran for state GOP leadership positions in 2013.

"It wasn't back to the beginning and it wasn't yesterday," said Courser, later adding "some things happened and shouldn't have happened."

At one point, Gamrat urged Graham to keep quiet about "a mistake that we made."

"I would ask you to just keep this private. This is not just about protecting me, it's also about protecting Joe and the kids," Gamrat said.

Graham repeatedly tries to steer the discussion back to legislative matters and reminds Courser he's late for a committee meeting. Courser was absent that day from a House Military and Veterans Affairs Committee meeting, committee records show.

In the following weeks, Courser and Gamrat relieved Graham of his duties, including his main job speaking to their constituents, Graham and Allard told The News.

On July 7, Courser and Gamrat terminated the employment of Graham and Allard, said Tim Bowlin, chief financial officer for the House business office.

Office staff for individual House members are at-will employees and the reason for the firings doesn't have to be given, Bowlin said.

But the dismissals occurred several weeks after Courser and Gamrat gave Allard and Graham each 6 percent pay raises, the maximum salary increase allowed, according to House payroll records.

Aides worked for both reps

House members from neighboring districts or urban areas like Detroit sometimes share an employee for budgetary reasons, Bowlin said. But Courser and Gamrat's House districts are nearly 130 miles apart on different sides of the state; Gamrat represents the 80th District (<http://house.michigan.gov/mhrpublic/2012DistrictMaps/080.pdf>) in west Michigan's Allegan County, while Courser represents the 82nd District (<http://gophouse.org/representatives/thumb/courser/districtmap/>) in Lapeer County.

"In the past, when it's happened, it's usually happened in districts that share a county or share proximity," Bowlin said.

Cline, the former aide who quit in April, said the joint office was devised to give Courser and Gamrat more legislative muscle.

But within weeks of taking office, Cline said "everything was merged." Courser and Gamrat began sitting in on meetings with constituents and lobbyists who wanted to meet with just one of them, he said.

"It didn't matter if it was inside the office or outside the office, all meetings were held together," Cline said.

Courser and Gamrat would demand that no meetings be scheduled on Thursday afternoons after the House adjourned for the week and most representatives were driving home to their districts, Cline said.

The pair would frequently leave the office together for several hours on Thursday afternoons, asking the staff to stay in Lansing until they returned to the office for evening staff meetings that sometimes stretched on for hours, he said.

"It measurably affected the time management of the office, the efficiency of the office and constituent services," Cline said.

Battle with Cotter

During the May 19 recorded meeting, Courser speculated that Republican leaders may have been behind the anonymous text messages he and Gamrat received about their relationship.

"The speaker, he's got a wound in his side," Courser told Graham. "They want something from us. They want us dead."

In the meeting, Courser also told Graham he desired news reports about the email to inflame his on-going battle with Cotter.

"This is the best we came up with. Neither one of us want to be on somebody's leash," Courser later told Graham. "Neither one of us really want to be in Lansing if this is how we have to do it."

"You could just quit, you know," Graham suggested.

After a long audible pause, Courser replied: "I might have to."

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION



TODD COURSER

Plaintiff

v.

RADISSON HOTELS INTERNATIONAL, INC.,
a Delaware corporation, RADISSON GROUP,
INC., a Minnesota corporation, CARLSON
REZIDOR HOTEL GROUP, an international
partnership, BLOCK 100 LIMITED
PARTNERSHIP, a Michigan limited partnership,
and WINEGARDNER & HAMMONS, INC., an
Ohio corporation, and WINEGARDNER &
HAMMONS HOTEL GROUP, LLC, a Delaware
limited liability company, and VINCENT KRELL

Case No. _____

HON. _____

Defendants.

Matthew S. DePerno (P52622)
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Attorney for Plaintiff
951 W. Milham Avenue
PO Box 1595
Portage, MI 49081
(269) 321-5064

**THERE ARE SIX (6) OTHER PENDING AND UNRESOLVED CIVIL ACTIONS
ARISING OUT OF THE TRANSACTIONS OR OCCURRENCE ALLEGED IN THIS
COMPLAINT:**

1. ***Cindy Gamrat v Joshua Cline, Joseph Gamrat, and David Horr***, United States District Court for the Western District of Michigan, Southern Division, Case No. 1:16-cv-1094
2. ***Todd Courser v Keith Allard, Benjamin Graham, and Joshua Cline***, United States District Court for the Western District of Michigan, Southern Division, Case No. 1:18-cv-00874
3. ***Todd Courser v Michigan House of Representatives, Kevin G. Cotter, Tim L. Bowlin, Brock Swartzle, Norm Saari, Edward McBroom, and Hassan Beydoun***, United States District Court for the Western District of Michigan, Southern Division, Case No. 1:18-cv-00882

4. *Todd Courser v Chad Livengood and The Detroit News, Inc., Washtenaw County Circuit Court, Case No. 18-831-CZ*
5. *Cindy Bauer v Michigan House of Representatives, State of Michigan, Court of Claims, Case No. _____.*
6. *Todd Courser v Joseph Gamrat and David Horr, Kalamazoo County Circuit Court, Case No. _____.*

COMPLAINT AND JURY DEMAND

NOW COMES Plaintiff, TODD COURSER ("COURSE"), by and through his attorneys, DePERNO LAW OFFICE, PLLC and for his Complaint against RADISSON HOTELS INTERNATIONAL, INC., a Delaware corporation, RADISSON GROUP, INC., a Minnesota corporation, CARLSON REZIDOR HOTEL GROUP, an international partnership, BLOCK 100 LIMITED PARTNERSHIP, a Michigan limited partnership, WINEGARDNER & HAMMONS, INC., an Ohio corporation, WINEGARDNER & HAMMONS HOTEL GROUP, LLC, a Delaware limited liability company, and VINCENT KRELL, a Michigan resident, states the following:

JURISDICTION and VENUE

1. This is an action pursuant to 18 U.S.C. § 2511 and applicable state law.
2. This action also arises out of Courser's claims to enforce their rights arising out of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961, *et seq.*, as amended.
3. This Court also has original jurisdiction pursuant to 28 U.S.C. Section § 1331 (as this action involves a federal question and the laws of the United States).
4. This Court also has diversity jurisdiction pursuant to 28 U.S.C. Section § 1332. Some of the Defendants are citizens of different states and the amount in controversy is greater than \$75,000.

5. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367 over Courser's state-law claims that are related to, and form part of, the same case or controversy. It is appropriate that this Court exercise supplemental jurisdiction over the state law claims because they involve the same parties and operative facts as the federal claims. Therefore, the Court's exercise of supplemental jurisdiction will further economy, convenience, and fairness to the parties.

6. The transactions that give rise to this cause of action occurred in the State of Michigan.

7. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b).

8. Plaintiff requests trial by jury, pursuant to Fed. R. Civ. P. 38.

PARTIES

9. Plaintiff TODD COURSER ("Plaintiff") is an individual residing in Lapeer County, Michigan. Plaintiff was the duly elected State Representative for the 82nd District and, as such, a member of the Michigan House of Representatives, until he was unlawfully forced to resign his position on September 11, 2015.

10. Upon information and belief, Defendant RADISSON HOTELS INTERNATIONAL, INC. ("RHI") is a Delaware corporation with its headquarters located at 701 Carlson Parkway, Minnetonka, MN 55350. Radisson Hotels does business in Michigan and operates the Radisson Hotel Lansing at the Capitol, in Lansing, Michigan.

11. Upon information and belief, Defendant RADISSON GROUP, INC. ("RGI") is a Minnesota corporation with its headquarters located at 701 Carlson Parkway, Minnetonka, MN 55350. Radisson Group does business in Michigan and operates the Radisson Hotel Lansing at the Capitol, in Lansing, Michigan.

12. Upon information and belief, Defendant CARLSON REZIDOR HOTEL GROUP ("Carlson") in an international partnership with headquarters located at 701 Carlson Parkway, Minnetonka, MN 55350. Carlson does business in Michigan and operates the Radisson Hotel Lansing at the Capitol, in Lansing, Michigan.

13. Upon information and belief, Defendant BLOCK 100 LIMITED PARTNERSHIP ("Block 100") is a Minnesota limited partnership with headquarters located at 512 Nicollet Mall, Minneapolis, MN, 55402. W&H Inc. does business in Michigan and manages the Radisson Hotel Lansing at the Capitol, in Lansing, Michigan.

14. Upon information and belief, Defendant WINEGARDNER & HAMMONS, INC. ("W&H Inc.") is an Ohio corporation with its headquarters located at 4243 Hunt Road, Cincinnati, OH 45242. W&H Inc. does business in Michigan and operates the Radisson Hotel Lansing at the Capitol, in Lansing, Michigan.

15. Upon information and belief, Defendant WINEGARDNER & HAMMONS HOTEL GROUP, LLC. ("W&H Group") is a Delaware corporation with its headquarters located at 4243 Hunt Road, Cincinnati, OH 45242. W&H Group does business in Michigan and operates the Radisson Hotel Lansing at the Capitol, in Lansing, Michigan.

16. RHI, RGI, Carlson, Block 100, W&H Inc. and W&H Group are hereinafter collection referred to as "The Radisson Defendants".

17. Upon information and belief, Defendant VINCENT KRELL ("KRELL") is a resident of Kentucky or Michigan.

COMMON ALLEGATIONS

18. RHI, RGI, and Carlson operate guest lodging systems (commonly referred to as hotels) throughout the United States and abroad, including the Radisson Hotel Lansing at the

Capital, located at 111 North Grand Avenue, Lansing, Michigan 48933 (the "Radisson Hotel Lansing"). RHI, RGI, and Carlson also license the "Radisson" trade name, marks, and business systems in connection with the operation of their hotels.

19. Block 100 owns the Radisson Hotel Lansing under a license agreement between RHI, RGI, and Carlson with respect to the Radisson Hotel Lansing.

20. W&H Inc. and W&H Group manage the Radisson Hotel Lansing for Block 100, RHI, RGI, and Carlson.

21. Upon information and belief, W&H Inc. and W&H Group employ the management-level personnel at the Radisson Hotel Lansing, which are leased, in some capacity, to Block 100, RHI, RGI, and/or Carlson.

22. Upon information and belief, all other employees at the Radisson Hotel Lansing are employed by Block 100.

23. In the winter of 2015, Courser stayed at the Radisson Hotel Lansing.

24. It later became known that The Radisson Defendant employees and staff were granting and assisting unauthorized agents physical access to Courser's rooms at the Radisson Hotel Lansing.

25. In fact, The Radisson Defendant employees and staff allowed and actively assisted unauthorized agents, including Krell, to secretly and repeatedly enter Courser's rooms at the Radisson Hotel Lansing.

26. The Radisson Defendant employees and staff also allowed and actively assisted unauthorized agents, including Krell, to secretly enter Courser's hotel rooms to install illegal surveillance equipment in the Courser's hotel room at the Radisson Hotel Lansing.

27. The Radisson Defendant employees and staff passed surveillance information about Courser to agents, including Krell, who were conducting surveillance on Courser to gain leverage on Courser, extort him, and have him removed from office.

28. The Radisson Defendant employees and staff allowed and actively assisted unauthorized agents, including Krell, to secretly and repeatedly access Courser's hotel account for reservation information and account statements.

29. The Radisson Defendant employees and staff allowed and actively assisted unauthorized agents, including Krell, to secretly and repeatedly access Courser's hotel account by sending emails about Courser's account statements including reservation and billing information, as well as key card activity on Courser's hotel rooms at the Radisson Hotel Lansing.

30. The Radisson Defendant employees and staff allowed and actively assisted unauthorized agents, including Krell, to secretly receive surveillance times of the arrival and departure of Courser's vehicle at the Radisson Hotel Lansing.

31. Upon information and belief, the Radisson Defendants employees and staff were paid by unauthorized agents for their release of Courser's information electronically, physically and by allowing illegal access to Courser's hotel rooms at the Radisson Hotel Lansing.

32. Courser met with the Radisson Defendant management regarding the status of Courser's account and the breach of Courser's account information.

33. The Radisson Defendant management assured Courser that no further breaches would occur. The Radisson Defendant management claimed the access to Courser's hotel account was an accident and that no one had breached Courser's hotel rooms or Courser's personal data. This was untrue. The Radisson Defendant employees and staff were actively engaged in assisting unauthorized agents to access Courser's electronic information at the

Radisson Hotel Lansing, provide onsite surveillance through its personnel, and finally allow access to the Courser's hotel rooms.

34. The Radisson Defendants allowed for continued access to electronic accounts and to Courser's hotel rooms even after the Defendant management promised that no one who was unauthorized could enter Courser's hotel rooms.

35. Defendant Krell, did in fact, with the help of the Radisson Defendants, access Courser's electronic accounts and Courser's hotel rooms at the Radisson Hotel Lansing.

36. The Radisson Defendants allowed unauthorized access to Courser's hotel room for recordings to be made of Courser. These recordings caused irreparable harm to Courser.

37. Defendant Krell, did in fact, with the help of the Radisson Defendants, access to Courser's hotel room for recordings to be made of Courser. These recordings caused irreparable harm to Courser.

38. All Defendants broke numerous laws as The Radisson Defendants allowed access to Courser's hotel accounts and Courser's hotel rooms and Defendant Krell did access Courer's hotel account and Courser's hotel rooms to further the surveillance of the conspiracy and the extortion plot to remove Courser from office. This included, but is not limited to:

- a. Fictitious email addresses were added to Courser's personal Radisson Hotel Lansing accounts by Defendants and The Radisson Defendants' staff several times, compromising statements and giving access to Courser's personal information.
- b. An extortion text sent to Courser revealed The Radisson Defendants' employees and staff were being paid to provide information, monitor Courser's hotel rooms and provide physical access to Courser's hotel rooms.
- c. Text messages from different co-conspirators, of the extortion plot to remove Courser from office, revealed that the Defendants had provided information to the co-conspirators allowing access to Courser's information from Defendants, physical access to the rooms and updates from The Radisson Defendants' employees and staff on the rooms themselves. This happened even after Courser met with The Radisson Defendants' management and was assured no information

about Courser's stay at the Radisson Hotel Lansing was being broadcast out. The information and access was still being provided to the co-conspirators, of the extortion plot to remove Courser from office.

- d. All Defendants and The Radisson Defendants' employees and staff were actively providing private information illegally to unauthorized agents who were extorting Courser and allowing hotel room access to unauthorized agents. Updates provided to the unauthorized agents involved in the extortion plot, by the The Radisson Defendants' employees and staff, included emails to the unauthorized agents regarding Courser's hotel accounts, temperature of Courser's hotel rooms, lights on or off in Courser's hotel rooms, shower curtain placement in Courser's hotel rooms, luggage placement in Courser's hotel rooms, listening devices in Courser's hotel rooms, audio and video from Courser's hotel rooms, as well as physical entry and exiting the hotel time stamps of Courser and arrival and departure of Courser's vehicle at the hotel.
- e. Courser was told by The Radisson Defendants' employees and staff that Courser's personal information including reservations information, room number, and payment information were automatically sent to the unauthorized email addresses attached to Courser's account.
- f. Upon information and belief, later through a Michigan State Police ("MSP") investigation of the extortion plot to remove Courser from office, it was determined that the co-conspirators were gaining illegal access to Courser's Radisson Hotel Lansing rooms and hotel information via The Radisson Defendant's employees and staff.
- g. Defendant Krell was, in fact, one of the co-conspirators who gained illegal access to Courser's Radisson Hotel Lansing rooms and hotel information via The Radisson Defendant's employees and staff.
- h. Texts between some of the known unauthorized agents and others clearly show that the unauthorized agents had access to Courser's personal information, hotel account, reservations, time stamps on Courser's arrival and departure, room numbers and payment information.
 - (1) "I just think it's strange that both beds are used. I typically sleep in one and put my suitcase or bag on the other. You? Heat was high too which is just the way Cindy likes it."
 - (2) "Housekeeping usually makes both beds when they clean each day so both beds used yesterday?"
 - (3) "FYI She checked in at 1:29a and he checked in at 7:51a Tuesday morning."
 - (4) "And he checked in at 7:51 Tuesday morning."

- (5) "Hotel room is considered private."
- (6) "Hotel has now told me that his reservation is for Tuesday and Wednesday, not Monday and Tuesday."
- (7) "By the way, he obviously didn't take a shower this am as the shower curtain was 'out' of the tub? Must have had a bath last night?"
- (8) "Yeah some one was in both of those beds."
- (9) "His clothes are still there."
- (10) "Have you checked if ass is staying there this week?"
- (11) "when I called that morning they said there were two reservations"
- (12) "He hasn't checked out yet."
- (13) "But he is scheduled to check out."
- (14) "What the f@\$& her room?" "His"
- (15) "Was looking for potential evidence like trash or a wrapper. Nothing – which doesn't say a whole lot though."
- (16) "What would you make of this? Normal or abnormal?"
- (17) "the room is in his name."
- (18) "Next to each other?" "Under todods name again?" "Don't know and yes."
- (19) "Todd turned off his light around 6:20"
- i. Courser met several times with The Radisson Defendant managers to share concerns about the breach of security of Courser's privacy.
- j. Courser was assured by The Radisson Defendant management that the failures and security breaches would not be repeated, but unbeknownst to Courser that his personal information was continuing to be released by all Defendants to the unauthorized agents who then used this information in the extortion plot to remove Courser from office.

39. The information received from Defendants was used in an extortion plot, to remove Courser from office, for nearly 5 months in a series of anonymous texts that resulted in a worldwide scandal that ended with Courser resigning from office.

40. The above deleted texts taken from Defendants' phones taken by the Michigan State Police ("MSP") reveal the connection with the Radisson surveillance:

41. The illegal access to Courser's hotel room, Courser's hotel account, Courser's personal information stored at the Radisson Hotel Lansing, and the physical surveillance done by Defendants, that was allowed by Defendants, did irreparable harm to Courser.

COUNT 1
VIOLATIONS OF RICO: 18 U.S.C. § 1962(a), (b), and (c)

42. Courser restates and incorporates as if set forth fully herein all preceding allegations contained in this Complaint.

CULPABLE RICO PERSONS

43. All Defendants in this matter are RICO persons.

RICO ENTERPRISE

44. The RICO enterprise consists of all Defendants who, associated in fact, worked through the enterprise to commit a pattern of racketeering, which includes the specific predicate acts alleged herein.

INTERSTATE OR FOREIGN COMMERCE

45. Defendants' racketeering activity affected interstate commerce.

46. Telephone conversations, correspondence, documentation, and other communication, as described herein, was used the U.S. Mail and interstate wires.

47. Also, the pattern of racketeering crossed state lines when Defendants provided financing, payments, U.S. Mail, and interstate wires in an effort to remove Courser from office and to damage his livelihood, all with the intent to engage in illegal wiretapping and eavesdropping and to promote a sensational story for profit.

48. Therefore, the activity of the enterprise and the predicate acts of racketeering affect interstate commerce.

PATTERN OF RACKETEERING

49. Defendants have engaged in a long-term pattern of racketeering activity, which has benefitted the criminal RICO enterprise and harmed Courser.

50. As described in this Complaint, some Defendants started the scheme to violate federal and state laws and then spy on Courser in order to "dig up dirt" on him in violation of federal and state laws. This scheme involved illegal wiretapping and eavesdropping and purchasing favors and information from The Radisson Defendants through Defendant Krell, as a co-conspirator. Information obtained was then used to extort Courser. The illegally obtained information was then provided to The Detroit News for broadcast around the world. The information was then disseminated to the State of Michigan agencies, including the Michigan State Police, Michigan House of Representatives, and Michigan Attorney General in order to remove Courser from office, extort, and bring criminal charges..

51. Defendants conspired to earn a profit through a process of fraud and misrepresentation of material facts, to advance their own agendas and to harm Courser.

RACKETEERING ACTIVITY

52. Defendants engaged in a pattern of racketeering activity that harmed Courser, including additionally incurred legal costs, the inability to earn money, the loss of property rights and profits, and a violation of his due process, equal protection, and other Constitutional rights and in violation of various federal and state laws.

VIOLATIONS OF MCL § 750.539C, 539D, 539E AND 750.540

53. Defendants violated MCL 750.540 when they conspired to and did (in order to aid the conspiracy) willfully and maliciously tape or otherwise make unauthorized connections to an electronic medium of communication of Courser.

54. Defendants violated MCL 750.539c when they conspired to and did (in order to aid the conspiracy) willfully use a device to eavesdrop upon the conversations of Courser without the consent of all parties to the conversation.

55. Defendants violated MCL 750.539d when they conspired to and did (in order to aid the conspiracy) install listening devices in a private place without the consent of Courser (and others) who were entitled to privacy in order to observe, record, transmit, or eavesdrop upon the sounds and events in that place.

56. Defendants violated MCL 750.539d when they conspired to and did (in order to aid the conspiracy) distribute and disseminate or transmit for access a recording they knew to be obtained in violation of such section.

57. Defendants violated MCL 750.539e when they conspired to and did (in order to aid the conspiracy) use or divulge information they knew or reasonably knew or should have known was obtained in violation of MCL 750.539b, 539c, or 539d.

VIOLATIONS OF 18 U.S.C. § 2511

58. Defendants violated 18 U.S.C. 2511 when they conspired to and did (in order to aid the conspiracy) intentionally intercept, endeavor to intercept, or procure other people to intercept or endeavor to intercept, wire, oral, and electronic communications of Courser.

59. Defendants violated 18 U.S.C. 2511 when they conspired to and did (in order to aid the conspiracy) intentionally use, endeavor to use, or procure other people to use or endeavor to use an electronic, mechanical or other device to intercept oral communications of Courser.

60. Defendants violated 18 U.S.C. 2511 when they conspired to and did (in order to aid the conspiracy) know or have reason to know that the recording devices (or any component) had been sent through the mail or transported in interstate or foreign commerce.

61. Defendants violated 18 U.S.C. 2511 because (a) their actions to record and/or transmit conversations of Courser took place on the premises of a business or commercial establishment the operation of which affects interstate or foreign commerce or (b) their actions to record and/or transmit conversations of Courser where obtained for the purposes of obtaining information relating to the operations of any business or other commercial establishment the operations of which affect interstate or foreign commerce.

62. Defendants violated 18 U.S.C. 2511 when they intentionally disclosed or endeavored to disclose to other people the contents of the wire, oral, or electronic communications, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of 18 U.S.C. § 2511.

63. Defendants violated 18 U.S.C. 2511 when they intentionally used or endeavored to use the contents of the wire, oral, or electronic communications, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of 18 U.S.C. § 2511.

64. Defendants violated 18 U.S.C. 2511 when they intentionally disclosed or endeavored to disclose the contents of the wire, oral, or electronic communications intercepted by authorized means but knowing or having reason to know that the information was obtained

through the interception of such a communication in connection with a criminal investigation, having obtained or received the information in connection with a criminal investigation, and with intent to improperly obstruct, impede, or interfere with a criminal investigation.

MAIL AND WIRE FRAUD – 18 U.S.C. §§ 1341, 1343

65. Defendants committed mail fraud when they sent any correspondence, documents, recordings, or funds, throughout the commission of their fraudulent scheme, through the U.S. Mail or through other wired communications, such as telephones, emails, and text messages.

66. These actions and statements sent by U.S. Mail or by telephones, emails, and text messages were not only false, but misleading in such ways as to the Defendants' illegal benefit and to Courser's detriment.

67. Further, the Defendants' correspondence, to include recorded conversations, is fraudulent and part of a greater scheme to defraud Courser because of the Defendants unethical desire for unilateral benefit.

68. Thus, by sending correspondence, recordings, emails, and text message to through the U.S. Mail and wires, Defendants intended to mislead, defraud and extort Courser and citizens of the world into believing the truth of their correspondence and documents in order to mislead, defraud, and extort Courser.

69. The aforementioned records, emails, and text messages were false, fraudulent, and misleading. They were sent in an attempt to conceal the on-going RICO enterprise and was part of a greater "scheme or artifice to defraud" Courser out of his rights to his office, property, business, and livelihood.

70. The recordings, emails, and text messages were transmitted over the wires electronically via electronic mail and facsimile.

71. Defendants knowingly transmitted their lies through the U.S. Mail and electronically via electronic mail and facsimile.

72. Defendants' correspondence and documents were and are false, fraudulent, and misleading.

73. Defendants utilized the mail and wires to perpetuate their misdeeds.

74. Upon information and belief, Defendants engaged in other acts in furtherance of the schemes that involved use of interstate wire and the U.S. Mail, as identified in this Complaint

VIOLATIONS OF 42 U.S.C. § 1983 AND

75. Defendants, through the conspiracy, engaged in actions that violated COURSER's civil rights under 42 U.S.C. § 1983 and 1985, as described in this Complaint.

VIOLATIONS OF MCL § 445.61, ET SEQ (INCLUDING MCL § 445.65, 445.67, 445.67A, 445.69, 445.71)

76. Defendants, through the conspiracy, engaged in actions in violation of Michigan's Identity Theft Protection Act as described in this Complaint.

VIOLATIONS OF MCL § 752.791, ET SEQ

77. Defendants, through the conspiracy, engaged in actions in violation of Michigan's Fraudulent Access to Computers, Computer Systems, and Computer Networks Act as described in this Complaint.

VIOLATIONS OF COMMON LAW INVASION OF PRIVACY

78. Defendants, through the conspiracy, engaged in actions in violation of Michigan's common-law tort of invasion of privacy as described in this Complaint.

VIOLATIONS OF MCL § 750.213; EXTORTION AND BLACKMAIL

79. Defendants, through the conspiracy, engaged in actions of extortion and blackmail, in violation MCL 750.213 as described in this Complaint.

INJURY

80. Courser is a person who sustaining injuries to his business, property, and livelihood by reasons of the Defendants' violation of RICO and Defendants' commission of the predicate acts.

81. Courser has been harmed because, as a result of Defendants' actions, he has, to this day been deprived of business, property, and livelihood.

82. Courser has been harmed because he has been forced to incur substantial attorneys' fees in order to enforce his rights in the face of Defendants' predicate actions.

83. Courser has been harmed because he was forcibly removed and constructively expelled from office as a result of Defendants' predicate actions, causing him hardship, embarrassment, and loss of income and livelihood.

84. Courser has been harmed because he has suffered mental and emotional distress and attorneys' fees caused by Defendants actions against them.

85. As a direct and proximate cause of the violations described in this Complaint, Courser has suffered and continues to suffer from, including but not limited to, severe and permanent emotional distress, embarrassment, legal expenses, and loss of earning capacity. Courser is entitled to compensatory, exemplary, and punitive damages.

COUNT 2
CONSPIRACY TO VIOLATE RICO: 18 U.S.C. § 1962(d)

86. Courser restates and incorporates the preceding paragraphs as though set forth fully herein.

87. Section 1962(d) makes it unlawful to conspire to violate subsections (a), (b) or (c) of Section 1962. 18 U.S.C. § 1962(d).

88. Each Defendant was a co-conspirator that knowingly joined the conspiracy and involved him or her, directly or indirectly, in the commission of at least two predicate offenses, including but not limited to the predicates of extortion, mail fraud and wire fraud, as alleged herein.

89. Defendants were each aware of their role as co-conspirators because they have been engaged in a quid-pro-quo relationship with the other Defendants.

90. Defendants knowingly and willingly involved themselves in a greater scheme to defraud, and commit the predicate acts alleged above, when they conspired to create a mutually beneficial business relationship whereby they attempted to deprive Courser of his businesses, property, profits, livelihood, and value.

91. Defendants also knowingly and willingly committed the predicate acts of fraud, mail and wire fraud, illegal wiretapping and eavesdropping, extortion, blackmail, and other crimes and violations as described in this Complaint. Defendants also engaged in monetary transactions derived from unlawful activity of their conspiracy.

92. Defendants were each aware of their role as co-conspirators.

93. Defendants knowingly participated in a greater scheme to defraud, and commit the predicate acts alleged herein.

94. As a result of their conspiracy, the predicate acts and greater scheme to defraud, Courser was harmed.

95. As a direct and proximate cause of the violations described in this Complaint, Courser has suffered and continues to suffer from, including but not limited to, severe and

permanent emotional distress, embarrassment, legal expenses, and loss of earning capacity. Courser is entitled to compensatory, exemplary, and punitive damages.

COUNT 3
VIOLATION OF FEDERAL WIRETAPPING ACT AND MICHIGAN'S
EAVESDROPPING STATUTE

96. Courser restates and incorporates as if set forth fully herein all preceding allegations contained in this Complaint.

97. Throughout the aforementioned time frame, Defendants and other non-named parties, acting as co-conspirators, had been spying on Courser.

98. Upon information and belief, Defendants were working with Joe Gamrat and David Horr and other unidentified co-conspirators to conduct surveillance activities, record conversations, and send extortive text messages to Courser.

99. Among other things, Defendants and/or their agents at their direction, unlawfully placed (or allowed to be placed) listening devices, tracking devices, and engaged in other inappropriate and illegal surveillance activities.

100. After obtaining private information from surveillance and listening devices, Defendants used that information to directly blackmail, extort, and threaten Courser or advance a conspiracy to blackmail, extort, and threaten Courser.

101. Upon information and belief, Defendants spoke regularly with Joe Gamrat, David Horr, and other co-conspirators before, during, and after the surveillance and blackmail was occurring.

102. Defendants violated MCL 750.540 when they, in conjunction with others and in order to aid the conspiracy described herein, willfully and maliciously tapped or otherwise made an unauthorized connection to an electronic medium of communication of Courser; or allowed others to do so.

103. Defendants violated MCL 750.539c when they, in conjunction with others and in order to aid the conspiracy described herein, willfully used a device to eavesdrop upon the conversations of Courser without the consent of all parties to the conversation; or allowed others to do so.

104. Defendants at one time or another, knowingly aided, requested, or employed others to eavesdrop on the conversations of Courser without the consent of all parties to the conversation; or allowed others to do so.

105. Defendants violated 18 U.S.C. § 2511 when they intentionally intercepted, endeavored to intercept, or procured other people to intercept or endeavor to intercept, wire, oral, and electronic communication of Courser; or allowed others to do so.

106. Defendants further violated 18 U.S.C. § 2511, when they intentionally used, endeavored to use, or procured other people to use or endeavor to use an electronic, mechanical, or other device to intercept oral communications of Courser and did so when they placed recording devices (or authorized the placement of recording devices) in Courser's hotel rooms and then transmitted those communications through a wire, cable, or other connection.

107. Defendants violated 18 U.S.C. § 2511, because they knew or had reason to know that the recording devices (or any component) had been sent through the mail or transported in interstate or foreign commerce.

108. Defendants also violated 18 U.S.C. § 2511, because (a) their actions to record and/or transmit conversations of Courser took place on the premises of a business or commercial establishment the operation of which affects interstate or foreign commerce or (b) their actions to record and/or transmit conversations of Courser were obtained for the purposes of obtaining

information relating to the operations of any business or other commercial establishment the operations of which affect interstate or foreign commerce.

109. Defendants violated MCL 750.539d when they installed listening devices in a private place without the consent of Courser (and others) who were entitled to privacy in order to observe, record, transmit, or eavesdrop upon the sounds events in that place.

110. Defendants violated MCL 750.539d when they distributed and disseminated or transmitted for access a recording they knew to be obtained in violation of such section, or allowed such activity on their business premises.

111. Defendants violated MCL 750.539d when they distributed and disseminated or transmitted for access the same recordings they knew to be obtained in violation of such section, or allowed such activity on their business premises.

112. Defendants violated MCL 750.539e when they used or divulged information they knew or reasonably should have known was obtained in violation of MCL 750.539b, 539c, or 539d, or allowed such activity on their business premises. Defendants further violated 18 U.S.C. § 2511, when they intentionally disclosed or endeavored to disclose to other people the contents of the wire, oral, or electronic communications, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of 18 U.S.C. § 2511, or allowed such activity on their business premises.

113. At all relevant times, the Defendants listed herein acted maliciously, recklessly, intentionally, or by reason of gross negligence or violation of the law and are therefore liable to Courser.

114. As a direct and proximate cause of the violations described in this Complaint, Courser has suffered and continues to suffer from, including but not limited to, severe and

permanent emotional distress, embarrassment, legal expenses, and loss of earning capacity. Courser is entitled to compensatory, exemplary, and punitive damages.

WHEREFORE, As a result of Defendants' actions and conduct, Courser has suffered damages in an amount of no less than \$75,000.00 for the injuries sustained plus additional damages as may be proven to compensate them for losses and damages demanded in this Complaint, plus exemplary and punitive damages, together with interest, costs, and actual attorney's fees incurred in maintaining this matter, and for such further relief as the Court deems appropriate.

COUNT 4
CIVIL STALKING UNDER MCL 600.2954

115. Courser restates and incorporates as if set forth fully herein all preceding allegations contained in this Complaint.

116. Defendants' actions as described above were prohibited by MCL 750.411h and constituted stalking as defined by Michigan law.

117. Specifically, Defendants' actions were willful and directed toward Courser.

118. Defendants' course of conduct involved repeated and continuous harassment directed toward Courser, including, among other things, coordinating surveillance, following Courser, reporting her whereabouts, and sending extortion texts-that caused her emotional distress and mental anguish,

119. Defendants' repeated and continuous harassment of Courser would cause a reasonable person to feel terrorized, threatened, frightened, intimidated, harassed, and molested.

120. Defendants' conduct has actually made Courser feel terrorized, threatened, frightened, intimidated, harassed, and molested.

121. Courser was the targeted victim of Defendants' continued harassment.

122. Courser did not consent to any of the actions described above.

123. As a direct and proximate result of Defendants' stalking, Courser has suffered mental anguish, physical and emotional distress, humiliation, embarrassment, and the loss of her employment.

WHEREFORE, As a result of Defendants' actions and conduct, Courser has suffered damages in an amount of no less than \$75,000.00 for the injuries sustained plus additional damages as may be proven to compensate them for losses and damages demanded in this Complaint, plus exemplary and punitive damages, together with interest, costs, and actual attorney's fees incurred in maintaining this matter, and for such further relief as the Court deems appropriate.

COUNT 5
INVASION OF PRIVACY and INTRUSION UPON SECLUSION

124. Courser restates and incorporates as if set forth fully herein all preceding allegations contained in this Complaint.

125. Courser has a privacy interest in his personal life and business relationships.

126. Defendants' wiretapping and surveillance constituted an unwarranted intrusion upon Courser's seclusion or solitude, or into his private affairs.

127. The intrusions by Defendants were and are objectionable and offensive to a reasonable person, including Courser. The disclosure of the information would be highly offensive to a reasonable person.

128. "Michigan has long recognized the common-law tort of invasion of privacy." *Lewis v. LeGrow*, 258 Mich.App 175, 193; 670 NW2d 675 (2003).

129. Defendants' subsequent publication of the misleading and defamatory information constituted a public disclosure of false allegations that are now embarrassing to Courser.

130. Defendants' subsequent publication of the misleading and defamatory information constituted publicity which place Courser in a false light in the public eye.

131. Defendants' publication of the misleading and defamatory articles constituted an invasion into Courser's private matters.

132. Courser has a right to keep his relationships private.

133. The Defendants have obtained private information through a method objectionable to a reasonable person; to wit, by violating Michigan's wiretapping and eavesdropping statutes and engaging in a plot to send extortive texts to Courser demanding that he resign his elected office.

134. At all relevant times, Defendants acted maliciously, recklessly, intentionally, or by reason of gross negligence or violation of the law and are therefore liable to Courser.

WHEREFORE, As a result of Defendants' actions and conduct, Courser has suffered damages in an amount of no less than \$75,000.00 for the injuries sustained plus additional damages as may be proven to compensate them for losses and damages demanded in this Complaint, plus exemplary and punitive damages, together with interest, costs, and actual attorney's fees incurred in maintaining this matter, and for such further relief as the Court deems appropriate.

COUNT 6
TORTIOUS INTERFERENCE WITH BUSINESS RELATIONSHIPS

135. Courser restates and incorporates as if set forth fully herein all preceding allegations contained in this Complaint.

136. Defendants were aware that they were publishing the misleading and defamatory articles.

137. Courser has valid business relationship or expectancy with his clients.

138. Defendants knew that Courser has contractual or business relationship with his clients. In fact, Defendants published information knowing it would reach Courser's clients.

139. Defendants knew that the misleading and defamatory information could cause Courser's relationships to believe that Courser was a criminal.

140. Defendants' act of publishing the misleading and defamatory information was an intentional interference by Defendants inducing or causing a breach of termination of the relationship or expectancy.

141. Defendants' act of publishing the misleading and defamatory information is a per se wrongful act or the doing of a lawful act with malice or unjustified in law for the purpose of invading the contractual rights or business relationship of Courser.

WHEREFORE, As a result of Defendants' actions and conduct, Courser has suffered damages in an amount of not less than \$75,000.00 for the injuries sustained plus additional damages as may be proven to compensate them for losses and damages demanded in this Complaint, plus exemplary and punitive damages, together with interest, costs, and actual attorney's fees incurred in maintaining this matter, and for such further relief as the Court deems appropriate.

COUNT 7
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

142. Courser restates and incorporates as if set forth fully herein all preceding allegations contained in this Complaint.

143. The Defendants' conduct of wiretapping and surveillance was widely regarded as extreme and outrageous conduct.

144. The Defendants' acts of wiretapping and surveillance was intentional and were done with reckless disregard to the harm that might be cause in Courser.

145. As the result of wiretapping and surveillance and then publishing information, Courser has suffered severe emotional distress.

WHEREFORE, As a result of Defendants' actions and conduct, Courser has suffered damages in an amount of no less than \$75,000.00 for the injuries sustained plus additional damages as may be proven to compensate them for losses and damages demanded in this Complaint, plus exemplary and punitive damages, together with interest, costs, and actual attorney's fees incurred in maintaining this matter, and for such further relief as the Court deems appropriate.

COUNT 8
NEGLIGENCE and NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

146. Courser restates and incorporates as if set forth fully herein all preceding allegations contained in this Complaint.

147. The Defendants conducted wiretapping and surveillance and distributed misleading and false information in order to cause damage to Courser.

148. Such conduct involves an unreasonable risk of harm.

149. Such conduct violates the general duty to conform to the legal standard of reasonable conduct in the light of the apparent risk.

150. Such conduct would foreseeably result in emotional harm and injury to Courser.

151. Wiretapping and surveillance and distribution of misleading and false information has caused and continues to cause Courser great emotional distress and embarrassment.

152. Defendants had a duty to exercise reasonable and ordinary care and caution in and about their conduct.

153. Defendants were negligent in their acts and/or omissions by, amongst other things, engaging in wiretapping and surveillance and distribution of misleading and false

information based on false and unverified information, including a series of altered recording that were obtained in violation of the Michigan wiretapping and eavesdropping statutes.

154. At all relevant times, Defendants acted maliciously, recklessly, intentionally, or by reason of gross negligence or violation of the law and are therefore liable to Courser.

155. As a direct and proximate cause of the conduct of Defendants as described in this Complaint, Courser has suffered and continues to suffer from, including but not limited to, severe and permanent emotional distress, embarrassment, legal expenses, and loss of earning capacity. Courser is entitled to compensatory, exemplary, and punitive damages.

WHEREFORE, As a result of Defendants' actions and conduct, Courser has suffered damages in an amount of no less than \$75,000.00 for the injuries sustained plus additional damages as may be proven to compensate them for losses and damages demanded in this Complaint, plus exemplary and punitive damages, together with interest, costs, and actual attorney's fees incurred in maintaining this matter, and for such further relief as the Court deems appropriate.

COUNT 9
CONSPIRACY and CONCERT OF ACTIONS

156. Courser restates and incorporates as if set forth fully herein all preceding allegations contained in this Complaint.

157. Defendants acted tortiously.

158. Defendants acted pursuant to a common design.

159. At all relevant times, Defendants engaged in concerted activities described in the preceding paragraphs by express or implied agreement.

160. This concerted action was intended to, among other things, in order to defame Courser, embarrass Courser, cast Courser in a false and misleading light, and cause Courser harm and damages as described in this Complaint.

161. Courser is not able to identify all of the activities of Defendants due to the generic similarity of such activities engaged in and promoted by Defendants and/or an agent thereof; but has provided details herein of the many activities engaged in and promoted by Defendants.

162. As a direct and proximate result of Defendants' concerted activities, Courser has sustained, and will continue to sustain, severe injuries and damages.

163. Due to the concert of action among Defendants and/or an agent thereof, each is liable to Courser for these injuries and damages even if there was no directed relation to the aforementioned activities conducted by any one particular person, party, or agent thereof.

164. Defendants are jointly, severally, and/or alternatively liable to Courser for all of their injuries and damages.

165. Courser is entitled to exemplary and punitive damages.

166. As a direct and proximate cause of the violations described in this Complaint, Courser has suffered and continues to suffer from, including but not limited to, severe and permanent emotional distress, embarrassment, legal expenses, and loss of earning capacity. Courser is entitled to compensatory, exemplary, and punitive damages.

WHEREFORE, As a result of Defendants' actions and conduct, Courser has suffered damages in an amount of no less than \$75,000.00 for the injuries sustained plus additional damages as may be proven to compensate them for losses and damages demanded in this Complaint, plus exemplary and punitive damages, together with interest, costs, and actual

attorney's fees incurred in maintaining this matter, and for such further relief as the Court deems appropriate.

Respectfully submitted

DePERNO LAW OFFICE, PLLC

/s/ Matthew S. DePerno

Dated: November 2, 2018

Attorney for Plaintiff Todd Courser
951 W. Milham Avenue
PO Box 1596
Portage, MI 49081
(269) 321-5064

VERIFICATION

I, TODD COURSER, being first duly sworn, deposes and says that I am the plaintiff in the above-entitled cause. I am familiar with the facts at issue in this case. I have read the foregoing Complaint and know its content, that to the best of my knowledge, information and belief, the contents thereof are true.

DATED: November 2, 2018

/s/ Todd Courser

Todd Courser

DEMAND FOR JURY TRIAL

Plaintiff, by and through his attorney DePERNO LAW OFFICE, PLLC, hereby demands a trial by jury in the above entitled matter as to all issues and claims for which a jury trial is allowed.

Respectfully submitted

DePERNO LAW OFFICE, PLLC

Dated: November 2, 2018

/s/ Matthew S. DePerno

Attorney for Plaintiff Todd Courser

951 W. Milham Avenue

PO Box 1596

Portage, MI 49081

(269) 321-5064

Detective Britvec: That's my, I think you need to see that report.

Brock Swartzle: So I'm gonna tell them today, if you don't mind, that, um, you know, we, everybody knows that there's an active criminal investigation going on by the MSP and the AG. I don't think it's wise that we settle before that investigation is wrapped up, it is my understanding that, you know, it's being done.

Detective Britvec: It'll, it'll be soon.

Brock Swartzle: Um, and that I'm gonna ask that [00:39:00] they give us the tolling agreement to coincide with the end of that investigation. If they disagree and they file tomorrow, we'll come out and we'll basically say, you know, I'll basically tell them, or we'll say publicly, we never, you know, "We specifically never said that they were credible witnesses because we think they're not credible witnesses. Uh, Todd Courser and Cindy Gamrat were kicked out based on the Emails and the audio recordings, we never relied on the word of [00:39:30] Ben or Keith," just leave it at that and then whenever the report becomes public we can then say "See, this is what." Is that fine with you guys?

Detective Britvec: That's fine with me. And you know what? Hey, look, it is a free country. I was just looking for the truth. And the truth is, and I believe that, although there's not the smoking gun email of, of uh Allard or Cline, eh maybe there is, you might see [00:40:00] that, say "Ah." You might have some insight in there and go "Aha!" You know? But um,

Speaker 2: Yeah he's got other problems so...

Detective Britvec: Yeah.

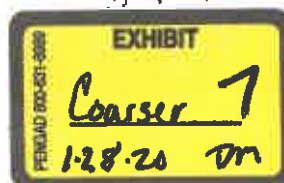
Brock Swartzle: What? What other problems.

Speaker 2: Well, I mean, I mean do, well I mean, I mean you're obviously you're trying to settle a litigation, you know, I don't know. There's a problem with them getting terminated and then, and then reaching out and saying you know "We have these [00:40:30] problems." And you know, obviously they failed to disclose this email. You know but... It's it's ugly, you know, I mean.

Brock Swartzle: With Graham. Ben Graham I've thought always had a [possibly culpable] action against us.

Detective Britvec: Now there's that, I also think, it just looking at it, I've been coming more and more, I really don't like the guy, I think he's sneaky. But I believe that he was probably talked into doing these recordings by Josh Cline because, the second [00:41:00] that, and I'm not positive that he didn't know about the texting. Because the second that Courser contacts him to "Get over here, I need your help." He calls Josh Cline and he tells me that. And him and Josh Cline decide together that this should, this should probably be taped. Well, that sounds like a

Brock Swartzle



setup to me. The text has been sent. He contacts you "Hey-he contacted me. [00:41:30] You know, hey, let's record this and then we'll have it on tape that they probably had no idea the email crazy shit was about to come down.

Brock Swartzle: Yeah and I've always, I mean, between Keith Allard and Ben Graham, I don't ... This whole process... Keith Allard is just a piece of crap.

Detective Britvec: I think Ben Graham's a Christian believer. I think he's a Christian believer. I think he's a true believer and he was truly upset over the affair,

Brock Swartzle: What has ticked me off the whole time though is that they never came forward [00:42:00] with the audio recordings. That would have corroborated that they were actually on the right ... And Todd and Cindy were having an affair and they were trying to cover up, and they were acting inappropriately for staffers. That has always ticked me off. Unfortunately, I've learned, I've learned more about our whistleblower acts than I've ever knew before and apparently, you don't have to come forward with all the evidence you have.

Detective Britvec: Right.

Brock Swartzle: So they still, he still has an action. But I [00:42:30] don't have a problem with Ben having money. It ticked me off to no end that we might have to pay Keith Howard money. Um, and the amount of money that ... So I get, we do have problems with Ben and we'll pay, I'm happy to pay Ben.

Detective Britvec: Mm-hmm (affirmative)-

Brock Swartzle: Keith, it just upsets me. So. But we'll figure it out.

Detective Britvec: What you might do if that happens, if Ben gets a little bit and Keith doesn't.

Brock Swartzle: That would be great.

Detective Britvec: Well what would be great is if, uh, Keith just [00:43:00] came out and told the whole truth at that point and that Ben was involved. And that, you know, I've just got a feeling he was duped. I have a feeling Ben was actually duped by uh,

Speaker 2: Why are you saying that? Cuz, cuz, cuz we're gonna be interviewing those guys today. So we'll find out. Hopefully we'll all find out more. You're in no, no ...

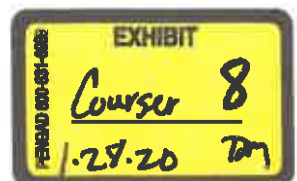
Brock Swartzle: It's okay to reference that

Speaker 2: This is an ongoing criminal investigation, you guys are cooperating, we just want to. It would be ... You can refer to it. They, they have, we have an interview scheduled, you can ... [00:43:30] Don't tell them they have an interview scheduled but, you're cooperating with law enforcement, you want to see everything before you settle.

Key Control Training Overview


WINEGARDNER & HAMMONS
ATTORNEYS AT LAW

000552



Key Control and Guest Privacy

- At Winegardner & Hammons Hotel Group, the safety and security of our guests is priority
- Our guests have choices, and what separates us from other hotels is the quality of service that we deliver
- It is our responsibility to refrain from giving out information about the identity, room number, and activities of our guests
- Our guests want to be safe, and it is our job to provide that service



000553

Guest's Room Numbers

- Employees, most often PBX operators and Front Desk Agents, are often asked in which room a particular guest is staying
- The proper response is to politely decline to give out this information
- You can offer to put the caller through to the guest's room instead
- If the person makes the request in person, you can either direct the person to a house phone and put through the call or call the guest room and advise the guest that he/she has a visitor at the front desk

Allowing Guests to Enter a Room

- Guests often times find themselves locked out of their room and need to be let in
- In these situations it is imperative that that we do not let the guest in a room without following the proper lost key procedure
- Even if you see a guest leave the room, do not let them back in without having them verify their identity at the front desk
- If they enter the room while it is being cleaned with the door open, have the guest enter their room key into the door before letting that person into the room

Identification Left in Room

- There are often times when guests can lock themselves out of their room with their ID still in the room
- Always have the MOD or Security hold the key and escort the guest to the room
- When in the room always make sure and verify their identification
- After ID is verified, it is ok to provide the guest the key
- Never let a guest into a room without following these steps

Assigning Rooms at Check In

- When assigning the guest a room at check in, remember to never orally tell the guest his or her room number
- Hand the guest the key folder and point to the room number
- If a guest asks to be placed in a room next to a certain guest, only do so if the guest they are requesting to be next to has given their permission (if in doubt ask your supervisor)
- Be sure to request identification to confirm that the guest is listed on the folio before issuing the guest a key if a guest asks for his/her room number at other times such as:
 - "I've forgotten my room number" or
 - "I've left my key in my room."

Scenario I

A person approaches the front desk and says:

**"I left my room in a hurry this morning
and forgot my key. Can I have another one?"**

How should the Front Desk Agent Respond?

Scenario I

Front Desk Agent:

"Sure – what is your room number?" And issue the person a new key.

Did the Front Desk Agent handle this request correctly?




WINEGARDNER & HAMMONS
HOTEL GROUP

000559

Scenario I

As the front desk agent you need to confirm that the person requesting a key is actually staying in that room.

The proper response would be "I am happy to assist you, may I please see your ID"

You then must check the name on the ID and make sure it matches the name on the room reservation- once you confirm that the person is in fact a guest staying in that room then you can issue him a new key.


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Scenario II

A PBX operator answers a call and a person asks,

"I was wondering if Mr. Kirwin is staying with you and if so what room is Mr. Kirwin in?"

How should the PBX operator respond?

Scenario II

The PBX Operator says:

"Yes Mr. Kirwin is a guest- he is in room 721, I will be happy to connect you."



The PBX Operator just gave a complete stranger a guests room number- be courteous but **NEVER** give out a guests room number.

Let's review the correct way to handle this situation

Scenario II

PBX Operator :

"Good Morning , how may I direct your call?"

Caller :

"Mr. Kirwin's room please"

PBX Operator:

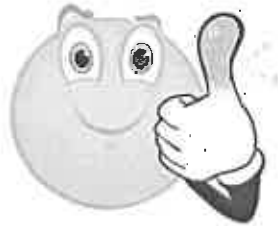
"Mr. Kirwin's first name please?"

Caller:

"Kevin Kirwin"

PBX Operator :

" Yes, it is my pleasure to connect you."



Scenario III

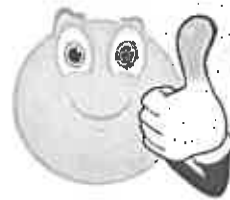
A room attendant is cleaning a room and a guest approaches her and asks:

“Can you let me into my room I am locked out?”

What should the room attendant do?

Scenario III

The Room Attendant should politely tell the Guest that he/she will have to go down to the front desk to get a new key.



The Front Desk Agent will then follow the Lost Key procedures to ensure that the person is in fact a Guest in that particular room, by checking the guests Identification against the name listed in on the reservation for that room. Once the identification is confirmed the Front Desk Agent may issue a new room key.

Scenario IV

A person approaches an employee and says:

"I have been locked out of my room and my wallet is inside-
can you issue you me a new key?"

What should the Employee do?

Scenario IV

The Employee should call the front desk or security and have them escort the guest to the room, once at the room, check the guests identification versus the reservation.

Great
Job!

Once the Front Desk Agent verifies that the guest is in fact staying in that particular room, then it is ok to re-issue the guest a new key.

Scenario V

A guest enters a room with it's door open while it is being cleaned:

"I forgot my laptop in my room, I just need to grab it and then I will be out of your hair."

What should the Employee do?

Scenario V

The Employee should have the guest enter their room key into the door and see if the lock accepts the key.

If it does not accept the key, tell the guest they will have to go down to the front desk and verify their room assignment.

If they present the proper identification at the desk for the room, the front desk will issue a new key to the guest so they will be able to enter the room.

Questions?



000570



MOD Training Manual

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000613



Introduction

This handbook has been prepared as a guideline for members of management who serve in the capacity of Manager on Duty (MOD). This handbook is not intended to cover every situation that may occur, rather it is designed to answer general questions concerning policies to be followed by the MOD during a typical MOD shift. You are always encouraged to seek guidance from subject matter experts if you are ever unsure regarding the appropriate actions during any given specific situation that may occur during your MOD shift. The front desk has a complete listing of all telephone numbers for all members of management. In addition, a list is included in this manual which is updated every three months.

The MOD is the hotel's representative of the General Manager and is expected to use common sense, tact, and diplomacy when handling any unusual situations that may arise during an MOD shift. When neither the General Manager nor the Assistant General Manager is on property, the MOD is responsible for the entire operation of the hotel.

The Manager on Duty does not supersede or oversee the responsibilities of individual department heads. When a problem arises in a specific area, it is expected those issues be handled by the manager of that area if he or she is available. The MOD should not be called upon by other managers to complete action reports or handle complaints unless the department manager is unable to satisfactorily resolve a situation or requests additional management coverage. If the MOD's role in a given situation is questionable, the General Manager will clarify and correct at a later date. In the meantime, department managers and associates are expected to comply with all requests from the MOD until the issue in question is clarified.

Manager on Duty Functions

The Manager on Duty shall have a daily routine, in addition to their daily job responsibilities, which efficiently fulfills the requirements of the MOD job description. The primary responsibility of the MOD is to ensure a consistently excellent level of service and safety to guests and associates, and care for the hotel's physical plant and assets.

Since the hotel is open 24 hours a day, seven days a week, there should always be a Manager on Duty. The A.M. MOD is typically scheduled from 7:00 or 8:00 a.m. until early to mid afternoon. The P.M. MOD will relieve the A.M. MOD until the Night Auditor arrives at 10:30 or 11:00 p.m. The Night Auditor is always the overnight (third shift) MOD. While we attempt to maintain consistency in MOD scheduling, there may be times when an MOD shift may overlap or be absent altogether during periods of low occupancy and staff coverage.

The functions of the MOD during a typical MOD shift are as follows:

1. Obtain the MOD key ring from Night Auditor or previous MOD. Notify the Guest Service Representative that you have the keys with you.
2. Determine the number and time of the evening's expected arrivals and room availability from the Guest Service Representatives.

3. Review the MOD report from the previous shift and note any items that may require follow-up.
4. Review the Making It Right (MIR) log and determine appropriate actions for follow-up. Ensure that each department is utilizing the MIR program during your property walk.
5. Make sure that you review the VIP list, mid-day forecast, and the daily event sheet for the day. Check each ongoing and upcoming function to determine if the function is proceeding smoothly, if it is being properly serviced, and if the set will be completed well prior to the scheduled time.
6. Check for any VIP reservations. Physically inspect the VIP rooms and determine whether the rooms are in order prior to the VIP's arrival and make any corrective actions as necessary. Verify that all VIP amenities are in place with proper presentation and that all special requirements have been met. Greet and escort the arriving VIPs when practical. Confirm reservation availability in the restaurant and when escorting the VIP to the guest room, inquire as to whether the VIP requires a reservation in the restaurant. If you are unable to escort the VIP to room, call shortly after the VIP's arrival to verify that everything is in order. At that time you may ask if the VIP requires a reservation in the restaurant as well as checking to see if there is anything else the VIP requires.
7. Check with the Bell/Valet staff during the MOD shift to ensure that they are fully staffed and prepared for the shift's expected arrivals and/or departures.
8. Completely tour the front and back of the hotel a minimum of two (2) times per shift, noting and correcting any discrepancies.
9. Complete maintenance request forms (MROs) for any items you observe that need the maintenance department's attention. You may want to carry a couple of MRO forms around with you during your walk.
10. During times of high occupancy, we may be required to move guest with a confirmed reservation to another hotel in the area. This process is referred to as "walking" a guest and only occurs when the hotel is oversold and there are no guest rooms available. When the MOD is required to "walk" guests to other hotels, the MOD will be responsible for ensuring that the guest is given the proper documentation and that every guest we walk is absolutely necessary.
11. The MOD is responsible for properly receiving all alcohol deliveries during their MOD shift. This includes reviewing the beverage requisition binder located in the beverage storeroom and comparing the order that is being delivered to the order that was placed. If there is a variance, contact the restaurant manager or the AGM. If neither is available, the MOD may deny the order. The MOD is also responsible for providing payment as all alcohol purchases require cash on delivery (COD). When receiving alcohol deliveries during an MOD shift, you must notify the bookkeeper that a delivery for alcohol has arrived and provide them with the invoice in order to provide payment.

12. The MOD is required to complete an MOD report for every MOD shift worked. This report should be completed throughout the shift and not be delayed until the end of the shift to complete this. At the end of the MOD shift the MOD report is emailed to the MOD distribution list.

MOD Job Description

The MOD is accountable to the General Manager and/or Assistant General Manager. The primary objective of the MOD role is to ensure that established levels of quality and guest services are maintained throughout the hotel.

The job duties and accountability of the MOD during a typical MOD shift are as follows:

1. Cooperate with managerial personnel as required or requested and represent the General Manager and Assistant General Manager during their absence.
2. Monitor and coordinate the operations of all hotel departments in conjunction with or in the absence of supervisory personnel within each department.
3. Check hotel premises for security of property and safety of persons. Conduct routine inspections of guest rooms, service areas, public areas, and function rooms and communicate any deficiencies to the appropriate departments so corrective actions can be taken.
4. Responds, resolve, and take appropriate action on guest complaints or problems to ensure excellent guest service while safeguarding the hotel's interests; represents the hotel in contacts with the general public.
5. Greet arriving VIPs (hotel, restaurant, and function/meeting planners) when possible; be visible and in contact with guests in a public relations capacity.
6. Handle emergencies, guest and associate accidents, security incidents. Coordinate with appropriate departments, agencies and notifies management.
7. Ensure the availability of operating supplies and foodstuffs by providing authorized personnel access to secured storage areas on an emergency only basis.
8. Prepare reports as requested to ensure appropriate corrective actions may be taken and to develop a more informative data base for improved management decision making and critical evaluation of work activities and guest service in such areas as:
 - a. Guest complaints and services utilizing Radisson's *Yes I Can!* "Making It Right" service recovery process
 - b. Staffing adequacies
 - c. Cleanliness and safety hazards
 - d. Associate violation of hotel or departmental policies
 - e. Public liability/associate accident reports
 - f. Incidents, emergencies

- g. Room inspections
- h. MOD report

9. Performs all accountability items in a timely and efficient manner, following established company policy and projecting a favorable image of Winegardner and Hammons, Inc. and Radisson Hotels.
10. Alter staffing levels if business demands deem it necessary.

Property Walk

One of the main priorities of the MOD is to ensure all parts of the hotel are clean and organized. Following is the suggested walk pattern. This walk should be completed at least once during your MOD shift.

- Start with the exterior of the building. Walk completely around the entrance making sure that trash is picked up and ash urns are clean.
- Re-enter the building from the main entrance and check the lobby area for cleanliness. Ensure that all the lights are on and that tables and chairs are clean and organized. Also check to ensure that the carpet is clean.
- Ride the elevator to the 11th floor and check the Concierge Lounge to determine if it is clean and stocked. Review the rest of the 11th floor to note any cleanliness or condition issues that need to be addressed.
- Proceed down floors ten (10) through three (3) noting cleanliness and condition issues that need to be addressed.
- Upon reaching the second floor, check the banquet meeting rooms, making sure they are set according to the BEOs and making sure all rooms are locked and secured.
- From the second floor, go down the back stairwell into the docking area noting its cleanliness and making sure the trash compactor area is free of debris.
- Upon returning from the dock area, check the bottle and package cages, making sure they are secure.
- Check the maintenance shop to ensure it is clean and organized.
- Walk down the back hallway noting whether the floors are dry and clear of debris. Also make sure all storerooms are locked.
- Enter the back housekeeping area ensuring it is clean and organized.
- Walk through the kitchen, checking that everything is in order. Check coolers for proper food storage and temperature and note whether temperature logs are completed timely and correctly.
- Check the room service area to determine if it is clean, organized, and well stocked.
- Enter in the restaurant from the server aisle. Make sure the music is on at an appropriate channel and volume, that the lighting level is appropriate, that the buffet is clean and that tables and chairs are lined up properly. Please also ensure the carpet is cleaned/vacuumed and note any upcoming reservations. Note any specials and soup of the day.
- Check the bar area to ensure it is clean and that all televisions are broadcasting either sports or news channels.
- Exit the restaurant and enter the restroom outside the restaurant exit. This restroom is

often used by non-guests who wander in off the street so it is important that these restrooms are monitored regularly to ensure its cleanliness and that there are no unauthorized visitors in the hotel.

- Check the gift shop to make sure it is presentable.
- Move down the corridor towards the guest room tower and inspect the coffee/dinner special credenza.
- Visit the fitness room to make sure the televisions are on news or sports channels and that the volume is muted. Check to make sure the trash is empty and that all equipment is in working order.
- Enter the pool area to make sure it is clean, organized, and that the pool towels are stocked. Be sure that the floor is as dry as possible.

As you inspect every department, check to make sure associates are in proper uniform including name tag, *Yes I Can!* pin, and that staffing levels are appropriate given the business demands of the shift.

MOD Report

It is the responsibility of every MOD to completely and accurately fill out an MOD report for each MOD shift. As soon as the MOD starts an MOD shift they should gathering and completing information on the report, keeping in mind that this report may eventually serve as a legal document for any incident that may occur during the shift. WHI and their attorneys have relied on these reports in various legal matters, therefore, this report must be taken very seriously.

At the conclusion of the MOD shift, the departing MOD is expected to email the MOD report to the MOD report distribution list. The original copy is placed on the clipboard in the bank room with previous reports. The following pages include sample reports that are currently in use.

MOD Checklist

MOD Shift:

Name: Scott Kovalick **Date:** 3/1/11

Shift: AM / PM **Replaced by:** _____

At start of your shift pick up MOD radio AND keys

Email to: MOD EMAIL

Any Lost & Found inquiries refer them to housekeeping or MOD.

Important Phone Numbers:

Gus Pine, General Manager: (517) 410-1940

Scott Kovalick, Assistant General Manager: (517) 974-5595

Matt Avram, Executive Chef: (989) 213-8438

Carly Bauknecht, Front Desk Manager: (989) 621-6023

Marlon Carter, Valet Manager: (517) 402-0264

Kimberly DeBrabander, Sales Account Manager: (517) 410-3017

John Hazzard, Maintenance Manager: (517) 719-8986

Courtney Lundeen, Front Desk Supervisor: (517) 993-4353

Jodi Maslowski, Sales & Catering Account Manager: (228) 224-4862

Michelle Miller, Human Resources Manager: (517) 896-2969

Judy Nash, Executive Housekeeper: (517) 580-4522

Sonia Schumitsch, Banquet Manager: (225) 726-0709

Kate Venn, Sales Account Manager: (517) 449-5989

Karen Wilson, Restaurant Manager: (517) 525-0762

Almee Wright, Sales & Catering Account Manager: (517) 775-4588

DATE:		SHIFT	
Occupied Rooms	93	Arrivals	53
Occupancy percent	36.33	Departures	185

Person Receiving Bank	Bank Received From	Amount Received	Amount Turned Over
		1900	1900
		1900	1900
		1900	1900

CAPITAL CITY GRILLE SALES

RESTAURANT \$		COVERS	
LOUNGE \$		COVERS	
ROOM SERVICE \$		COVERS	

FRONT DRIVE **Time:** _____

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Front drive area clean - no trash. |
| <input type="checkbox"/> | <input type="checkbox"/> | Ash urns clean, trash empty, all plants good condition. |
| <input type="checkbox"/> | <input type="checkbox"/> | Front entrance glass clean, no finger prints. |
| <input type="checkbox"/> | <input type="checkbox"/> | Signs, lights in working order |

Comments: _____

LOBBY AREA / FRONT DESK Time: _____

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Lobby floor clean no stains / trash
<input type="checkbox"/>	<input type="checkbox"/>	Lobby furniture clean, dust free and placed to standard
<input type="checkbox"/>	<input type="checkbox"/>	Front Desk area neat, clean and organized
<input type="checkbox"/>	<input type="checkbox"/>	Bellman present in proper uniform with nametag
<input type="checkbox"/>	<input type="checkbox"/>	Manager on Duty
<input type="checkbox"/>	<input type="checkbox"/>	Front Desk Staff present in proper uniform with nametag/pin
<input type="checkbox"/>	<input type="checkbox"/>	Lobby bathrooms clean and stocked

Comments: _____

CAPITAL CITY GRILLE Times: _____

First Tour		Second Tour		
YES	NO	YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hostess stand neat, clean and organized.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Restaurant manager on duty
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Floor clean
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bar area clean
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bartender/wait staff present in proper uniform with name tag/pin
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Furniture clean, placed to standard.

Comments: _____

KITCHEN
KITCHEN / BACK OF HOUSE AREA Times: _____

First Tour		Second Tour		
YES	NO	YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dishwasher area clean.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kitchen utility (dishwasher) present in proper uniform.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prep areas clean.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chef on duty _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Associate restrooms clean and stocked.

Comments: _____

ROOM SERVICE AREA Time: _____

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Neat, clean and organized.
<input type="checkbox"/>	<input type="checkbox"/>	Staff present in proper uniform with name tag.
<input type="checkbox"/>	<input type="checkbox"/>	Business Level ROOM SERVICE AREA Time: _____

Comments: _____

BANQUET AREA Time: 12

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Floors clean.
<input type="checkbox"/>	<input type="checkbox"/>	Banquet signage inserted and correct
<input type="checkbox"/>	<input type="checkbox"/>	Doors locked or in use
<input type="checkbox"/>	<input type="checkbox"/>	Glass near escalators cleaned
<input type="checkbox"/>	<input type="checkbox"/>	Second floor restrooms clean and stocked

Comments: _____

POOL / FITNESS CENTER Times: 12

First Tour		Second Tour		
YES	NO	YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pool area clean, furniture placed to standard
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pool and spa clean
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Shepherd's hook and life preservers in place
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pool restrooms clean and stocked. Towels stocked.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Music on and at appropriate volume

First Tour		Second Tour		
YES	NO	YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Workout room clean</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Workout machines clean and working properly
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TVs clean and working properly
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mirrors clean
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lighting working properly
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Floor clean

Comments: _____

GENERAL COMMENTS

GUEST ROOM INSPECTION ROOM #

TIME

STANDARD	COMMENTS
Room must be clean and well maintained	
Floors & Carpets	
Ceiling & Vents	
Walls & Vinyl	
Doors & Framing	
Window & Sills	
Draperies & Hardware	
Furnishings & Casegoods	
Cases pieces, desk, tables, chairs, sofa, mirrors are in good condition, well maintained and neatly arranged.	
Lighting	
All lights are off. Switches are operable. Cover plates on switch plates are clear. Lamp shades are clean.	
Bed & Bedding	
Bed Spread is even.	
Bed Spread is clean and without holes.	
Mattress appears firm. Sleeper Sofa is clean.	
HVAC	
HVAC is set on 68 in winter 70 in summer	
HVAC is quiet and odor free.	
TV/Radio	
Good quality picture and sound. Remote.	
Channel Guide. All controls operable.	
Clock is set at correct time and alarm off.	
Telephone	
Good condition and clean. Dial plate is clean and extension is typed and easy to read.	
Security	
Entry lock mechanism, deadbolts and connecting doors locks are in good working condition. Smoke detectors are operable.	
Guest Supplies	
All of the required supplies are present and in good condition. All amenities are neatly arranged.	
Room Structure	
Floors, walls, doors, mirrors, and vents are clean in good condition. Smell s fresh & smoke free.	
Vanity Areas	
Sinks, fixtures, mirrors, and counter tops are clean and in good condition. Area is not stained and free of streaks and hair.	
Toilet	
Porcelain seat and lid are clean and in good condition. Flush mechanism is in proper working order.	
Tub and Shower Area	
Soap dish, Tile Chrome, drain and curtains are clean and in good condition. Tub is free of hair.	
Coffee Service	
Coffee maker clean & unplugged. (2) coffee cups	

Cash Handling

It is the responsibility of the MOD to ensure that all banks are accounted for on a daily basis. The MOD must count not only the MOD bank, but every bank that is being used by any front desk, restaurant, or banquet associate during the MOD shift.

Below are the cash handling procedures for the different banks.

Assuming Responsibility for the MOD Bank:

1. As soon as you report to work as the MOD, go to the bank out room, which is the office located behind the front desk.
2. Locate the MOD keys from the previous MOD and let them know that you are ready to take over MOD responsibilities.
3. Use the MOD keys to open the designated MOD bank.
4. In the presence of the former MOD, count the contents of the bank using a tape calculator, making sure a tape is running while the money is being added.
5. The bank contents should total the exact amount that it was at the start of the previous MOD shift. Make sure that you are completely counting all of the cash but the petty cash slips that are also in the bank.
6. Once you have counted the bank and its balances, you must write the following information on the tape
 - Your initials
 - The date
 - The amount of the bank
7. Place the tape in the bank for the next MOD.
8. Take the clipboard that is labeled MOD bank and fill out all information. This is located near the banks in the office behind the front desk. This needs to be signed twice each MOD shift, both at the beginning of the shift and at the end.
9. It is your responsibility to guarantee that the keys are kept with you at all times throughout the shift.
10. Sign out a radio from the front desk office. The radio should be on channel #2 and kept on you at all times.
11. If you should count the bank and it does not balance, count the bank again in the presence of a witness (if you haven't already done so). If after re-counting more than once and there is a discrepancy, contact the bookkeeper, GM, or the AGM immediately. If none of them is available, you should get another manager to count the bank to confirm the discrepancy. The actual amount needs to be documented on the MOD log sheet as well as on the MOD report that you fill out throughout your shift. A copy of the MOD log sheet needs to be copied to the GM, AGM, and bookkeeper in case of shortages or overages. If the MOD Bank is short by more than \$100, then the oncoming MOD needs to call the Lansing Police Department to file a police report. Both the oncoming and outgoing MOD must give statements and provide written statements for the Human Resources Manager.

Procedures for issuing departmental banks:

1. You will receive a call over your radio that an associate needs an MOD to issue a bank.
2. Confirm with the associate which bank number they need.
3. If issuing a bank, the key for the bank will be in the MOD bank. Open up the MOD bank and take out the bank key that is needed.
4. Open up the drawer where the bank is located and take out the bank. Count the bank to make sure that it is the correct amount and ask the associate receiving the bank to also count and verify.
5. Once you have counted the bank and it equals the correct amount, write the following information on the tape:
 - Your initials
 - The date
 - The amount of the bank
6. Place the tape in the bank for the bookkeeper.
7. Take the clipboard off the wall that is labeled "Bank Log" and initial where it asks for the MOD, stating that the bank was correct.
8. If the bank is a different amount you must make sure that the tape shows the actual amount. In addition, that should be written on the bank log.
9. If you should count the bank and it does not equal the correct amount you need to contact the bookkeeper or the AGM immediately. If neither of them is available, you should get another manager to count the bank. The actual amount needs to be documented on the bank log sheet as well as on the MOD Report that you fill out throughout your shift. A copy of the bank log needs to be copied to the GM, AGM, and bookkeeper in case of shortages or overages. If the bank is short by more than \$3, then the oncoming MOD needs to call the Lansing Police Department to file a police report. Both the MOD and the associate must give statements and provide written statements for the Human Resources Manager.
10. There are also bank verification sheets that go with each bank. A new sheet is started each time the bank is issued. The left side of the sheet is filled out, verified and signed by both the issuer and receiver. The sheet stays with the bank. When it is reissued to the next receiver it is again filled out and verified. The final filled out sheet is dropped in the safe with the calculation tape stapled to each side respectively.

Procedures for receiving banks at the end of associates shift:

1. You will be contacted by radio or phone stating that an associate with a bank is ready to go home and they need to have their bank counted by the MOD.
2. Meet the associate in the bank room
3. Ask the associate for their bank and key.
4. Count the bank to ensure that the amount is correct. This should be done with a tape calculator with a running total.
5. Once you have counted the bank and it equals the correct amount, you must write the following information on the tape
 - Your initials
 - The date
 - The amount of the bank
6. Place the tape in the bank for the bookkeeper

7. Take the clipboard off the wall that is labeled "Bank Log" and initial where it asks for the MOD, stating that the bank was correct.
8. Place the bank key that the associate gave you in the MOD bank.
9. The associate should have cash to drop. Witness the amount of cash in which they are dropping. The amount they filled out on the cash drop clipboard should match the amount that they wrote on the envelope.
10. You should also make sure that the cash was indeed dropped in the safe. Rotate the drop area of the safe to make sure that it is empty. You should hear the envelope hitting the inside of the safe.
11. If you should count the bank and it does not equal the correct amount you need to contact the bookkeeper or the AGM immediately. If neither of them is available, you should get another manager to count the bank. The actual amount needs to be documented on the bank log sheet as well as on the MOD Report that you fill out throughout your shift. A copy of the bank log needs to be copied to the GM, AGM, and bookkeeper in case of shortages or overages. If the bank is short by more than \$3, then the MOD needs to call the Lansing Police Department to file a police report. Both the MOD and associate responsible for the bank must give statements and provide written statements for the Human Resources Manager.

Incident Reporting

Guest Incidents

All guest accidents or injuries should be reported to the MOD. The MOD should be cautious of what is communicated to the guest and how it is communicated, however, the MOD should always show sincere interest and concern towards our guests, as the formal representative of the hotel.

Steps to follow when handling a guest incident:

1. If applicable, obtain first aid or medical attention for the guest immediately.
2. If the guest has sustained a serious injury or personal assault, contact the insurance company's claims office and Bob Sears, Life Safety Director at WHI.
3. Do not admit liability under any circumstances
4. Do not offer cash
5. Document only the facts, avoid judgments or speculation

Be sure to record facts only. Be as specific as possible when getting information from the guest and ensure all information is written in your notes. Collaborate your notes and submit them to the General Manager and the Human Resource Manager. These notes will be reviewed to be submitted to our insurance company.

Associate Accidents

All Associate accidents must be documented on the "Safety Investigation-Associate Accident" form. The MOD should complete this form after obtaining all necessary information. Be sure to record detailed facts of exactly what happened. The completed form should be submitted to the General Manager and the Human Resource Manager. Also, more guidance to this matter is provided in the following pages.

The MOD will determine whether or not an associate needs medical attention. The MOD should always err on the side of getting medical attention immediately following the injury as opposed to a "wait and see" approach. For injuries requiring immediate medical attention, call 911 for an ambulance. All other associate injuries requiring medical treatment should be directed to the following Sparrow Occupational Health clinics nearby:

Monday – Friday, 7:00 a.m. – 6:00 p.m.:

Sparrow Occupational Health

1322 E. Michigan

Suite 101

Lansing, MI 48912

(517) 364-3900

Weekend & After Hours Clinic:

St. Lawrence Emergency Department

1210 W. Saginaw Hwy

Lansing, MI 48915

(517) 364-7000

24 hour occupational health coverage (send only when East Michigan location is closed)

While referring an associate for treatment, ensure that the associate is sent with the appropriate paperwork, located in the MOD binder, so that the medical facility can follow our procedures. If necessary, an ambulance should be called for associate. If not, associate should be brought to clinic accompanied by a manager.

Accident/Incident Investigation

The importance of a prompt and complete investigation of accidents and incidents cannot be over-emphasized. The adage, "if we fail to learn from our mistakes we are doomed to repeat them" still holds true.

Accident investigation should not be confused with accident reporting. Although documentation of the investigation is essential for later review by management, an effective investigation requires a different thought process. Perseverance may be required to analyze and integrate several possible causes. The "Safety Investigation – Associate Accident" form should assist with this endeavor.

Accidents are investigated to:

- Prevent similar accidents.
- Identify unsafe work practices.
- Identify physical hazards.
- Identify training needs.

Elements of an accident investigation must be:

Prompt:

- To insure needed information is available.
- So causes can be quickly corrected to prevent a reoccurrence.
- To show management's concern.

Thorough:

- Uncovers all contributing factors.
- Leads to correct conclusions.

Accurate:

- Identifies all contributing factors.
- Aids in timely correction of hazards.

Benefits of accident investigation:

- Improve associate morale
- Decrease lost time.
- Increase efficiency.
- Implement corrective action.
- Improve safety record.
- Learn from your mistakes.

An additional resource that is very useful and should be readily available is the hotel camera. This is located in bank #2. If common sense dictates that photos of an accident/incident scene, victim, etc. should be included with the report, then by all means please be prepared to do so. Ensure that photos are taken as soon as possible so that you are able to represent the condition of the area that most accurately represents its state during the incident.

Example – Case History

On August 3, 1991 at 12:15 PM, Jane Doe, a hotel associate, entered the facility at the side door near the restaurant. The floor was freshly mopped and still wet. Jane slipped and fell on the wet floor and as she attempted to break the fall, Jane fractured her wrist and injured her back. The investigation's questions and concerns should include:

- Was Jane rushing? Perhaps she was late for work.
- Did Jane's shoes (sandals or flip flops) contribute to the fall?
- Was the area posted with an adequate amount of "Caution Wet Floor" signs?
- Why was a high traffic floor area near a restaurant mopped at lunch time?
- Are the correct reports relative to insurance claims being completed?
- Were there any witnesses from whom statements should be taken?
- Was a statement taken from the injured person?

Remember, "being more careful" or "slow down" should rarely if ever appear on a report as a sole cause of an accident.

Damage to Hotel Property (Fire, Wind, Water, etc.) Claims Reporting Procedures

1. If the loss is in excess of \$500.00, notify WHI Director of Life Safety, Bob Sears, at (513) 794-2589, cell (513) 227-4596 and your Regional Vice President of Operations.
2. Notification of the insurance company will be coordinated by WHI.

Guest Complaint Procedures

The MOD should resolve all guest complaints during the MOD shift; however, there may be times when the guest is so upset that they will only speak to the General Manager. Every attempt should be made to satisfy the guest and to resolve the complaint prior to the guest leaving the hotel. Rarely, if ever, do we want Radisson or WHI to resolve problems or mistakes made at our hotel. All associates are empowered to make our guest happy. The MOD needs to ensure that everyone is using the *Yes I Can!* behaviors and *Making It Right* steps. Furthermore, we want to resolve guest issues before our guests receive and respond to the Medallia survey, our online guest feedback tool.

All guest complaints referred to the MOD should be handled in a courteous, concerned, and efficient manner. Your conversation with a guest should be held away from other guests if possible. If the complaint is about an associate or hotel policy, be certain you get both sides. As MOD, you have the authority to overrule any manager or department head. This must be done with the utmost caution, taking into account your experience in the matter and the possible consequences of your decision. Never belittle or discourage other team members. Listening and apologizing with empathy are very effective *Making It Right* steps.

If a guest complaint requires the help of others to resolve, as MOD it is your responsibility to contact the guest to be certain that the problem has been solved to his or her satisfaction. Notification of problem and resolution must be noted in the MOD report and on the *Making It Right* log.

Encourage associates involved with the problem to send an amenity to the guest's room, or do so yourself. Do whatever you can to resolve the problem to the guest's satisfaction before your shift ends. Use your best judgment if a rebate of financial consideration is needed, but involve the manager of the areas, and ask their recommendation. If you are unsure of your limitations, check with the General Manager.

If, despite your best efforts, the guest is not satisfied, you may promise that he will be contacted by top management the following day. In this event, make certain that the General Manager is aware of your promise and complete details of the problem on your MOD Report.

The 100% guest satisfaction guarantee at Radisson states: "If you aren't satisfied with something, please let one of our staff know during your stay and we'll make it right or you won't pay. It's guaranteed." Therefore, every effort should be made to make it right with the guest prior to the guest's departure.

Making It Right Log

Located at the front desk is a Making It Right (MIR) log that tracks guest complaints and requests. This log is a working document and should be utilized at time of request or complaint. The associate or manager engaged in the interaction with the guest should first ensure that the guest is taken care of and that all questions, concerns, and requests are answered in a timely fashion. They should then ensure that the incident is tracked on the log for further review and as a communication tool for the other departments in the hotel and to the administrative team on property.

This log should be utilized at all times to ensure that all associates in the hotel are aware of what guests have had issues, should they come into contact with them at a later time. This log is the most important tool in ensuring that guest issues are correctly addressed before leaving the hotel. In addition the log enables us to utilize our *Yes I Can! - Surprise and Delight* strategies as guests move through various departments within the hotel.

At the end of the MOD shift, copies of the MIR log should be made and placed in the AGM/GM mailboxes. In addition, a copy should always be available in each department.

The following are some guest service principles guidelines that might be helpful as an MOD when dealing with guest issues and complaints.

Making It Right Steps:

1. Listen
2. Apologize with Empathy
3. Find A Solution
4. Follow Through
5. Surprise & Delight

It is important when utilizing the Making It Right steps to understand what will satisfy our guests and determine what we have to do to meet our guests' desires and expectations.

Principles of Hospitality

1. Smile and greet every guest, remembering the 10/20 rule.
2. Speak to the guest in a warm, friendly, and courteous manner.
3. Display genuine and enthusiastic interest in the guest, pay complete attention.
4. Anticipate guests' needs and be flexible in responding to them.
5. Be knowledgeable about your job.
6. Using "My Pleasure" in all customer situations, in place of "You are welcome"
7. Use LEARN process to take ownership of guest problems and resolve them.

Types of Empowerment

There are two basic forms of Empowerment used in servicing customers. Though each is important, they are very different from each other and require a different set of skills used by the "Empowered Associates". They are as follows:

Pro-Active Empowerment:

Pro-active means to "take action before the consequences occur". As an empowered

associate, this means to recognize a customer need before it is a problem and try to find a solution.

Re-Active Empowerment:

Re-active Empowerment is a “recovery” step used when fixing a customer problem or complaint. When using this form of empowerment, it is important to use the LEARN process.

The LEARN Process

1. Listen
2. Empathize
3. Apologize
4. React to resolve or compensate for the problem
5. Notify someone to make sure the problem does not occur again

The Process breaks down when:

- We try to educate the guest rather than satisfy.
- We are uncomfortable with Empowerment.
- There are not standards for compensation.

Guest Compensation

- Should be consistent.
- Required for core service delivery failure.
- Must be meaningful to the guest.

Noise Complaints

First Complaint

The hotel's security officer will approach the registered guest and ask the guest politely to quiet down, notifying them that they are disturbing other guests. The guest is also warned if a second complaint is issued, all guests may be evicted. For specifics on dealing with minors, see the security officer's standard operating procedures. The security officer will not discuss who has made the complaint.

Second Complaint

The hotel's security officer, accompanied by the MOD, will approach the guest, reminding them that this is the second complaint received and that the noise will have to stop or the guest will have to leave the hotel. All guests except the registered guest should at this time be asked to leave the hotel. Do not hesitate to call the police if there are a large number of aggressive guests. Security may be asked for their recommendation, based on previous experiences.

Third Complaint

The hotel's security officer, with the MOD, will approach the guest and ask him/her to leave. At this point the MOD will have to make a decision on whether to refund their money or charge them for the evening. This will depend on how late it is and if the room is dirty. If guest is intoxicated, alternate transportation must be provided. If the guest refuses and insists on driving, the police should be called to determine if the guest is able to drive. Under no circumstances should an intoxicated guest be given their keys.

Disturbances

Whenever a disturbance occurs in any areas the MOD should remember that the manager of that area (the same as any other manager) has the responsibility to properly deal with the problems associated with his/her assignment area. The MOD should not automatically take over the responsibility.

Most of the time, the manager and those who regularly work in this area will quickly and properly handle any disturbance that may encounter. The department manager, along with hotel's security officers, will usually resolve disturbances in such a way that the risk of fights occurring will be minimized.

In those cases where the police are called, the MOD should review with those involved in the disturbance, the situations and circumstances of the situation so that the MOD can satisfy himself/herself that reasonable and proper action was taken by the hotel associates. Also, the MOD should become familiar with the situation so that he/she can assure others in the hotel regarding the appropriateness of the action taken.

Complaint Procedure

Upon discovering that a problem exists concerning loud noise, you should first determine whether the noise level will annoy the surrounding guests. In most cases if the noise can be clearly heard in the corridor, it can also be heard in adjacent rooms. You should first advise the front desk of your situation and then proceed. When someone answers the door, advise them of who you are and ask to speak with the person registered to the room. Again, identify yourself and advise the registered guest why you are there. In most cases, you will find the guest to be cooperative; however, there are those who are not. Whenever it is necessary to make a second trip to a room, the registered guest should be advised that another trip could result in their being asked to leave the property. In any case, if a third trip is necessary, the MOD should be contacted before returning. Ideally, he/she will accompany security to the problem room. At this point, security would act only on the MOD's advice (unless another policy has been established). No one will be asked to leave the property without the approval of the MOD.

Physical Confrontations

The security officer will not become involved in any physical confrontation unless it becomes necessary to protect one's self, a guest, or an associate from physical harm. If such events occur or appear to be inevitable, the proper authorities must be notified

Michigan Department of State Police
SUPPLEMENTAL INCIDENT
REPORT 0006

ORIGINAL DATE 394
Tue, Aug 18, 2015
SUPPLEMENTARY DATE
Thu, Oct 22, 2015

INCIDENT NO.
016-0000256-15 (DB)
FILE CLASS
21000

INCIDENT STATUS
Open

EXTORTION

JOURNAL:

10-13-15 Britvec

Supped to date.

10-18-2015 F/Lt. Boucher

Supp #4 reviewed, pends analysis and prosecutors review.



SUMMARY OF CASE/EVIDENCE:

:The complainant Todd Courser had an affair with Cindy Gamrat.

:The suspect Joseph Gamrat suspected his wife of this affair as early as the summer of 2014.

:Joseph Gamrat admitted to Undersigned Officer that he had placed recording devices in Cindy Gamrat's car.

:Joseph Gamrat told Undersigned Officer that he received an anonymous phone call of a recording of his wife (Cindy) and the complainant having sex.

:No such recording has ever been released or heard by any other person interviewed by Undersigned Officer.

:Joseph Gamrat admitted to following and observing the complainant and Cindy Gamrat together.

:Joseph Gamrat stated that in February of 2015 he observed Cindy Gamrat leaving Todd Courser's hotel room in the early morning hours at the Radisson Hotel in Lansing Mi. Joseph Gamrat attempts to confront Cindy Gamrat but she will not answer the door.

:Joseph Gamrat has 4 video recordings on his I-phone of the complainant (Courser) and Cindy Gamrat together in a vehicle. It appears that Cindy Gamrat is giving the complainant a foot massage then the two embrace before Cindy Gamrat exits the vehicle. It is believed that these videos were sent to Joe Gamrat from someone else because they are broken up into 4 videos.

:Joseph Gamrat has text chats with an unknown individual who was checking hotel records and rooms of Cindy Gamrat and the complainant (Courser). This individual provides information on phone calls, bed condition (made or not) and shower curtain position.

:Joseph Gamrat communicates regularly with Josh Cline and Keith Allard.

:Josh Cline and Keith Allard both worked in the complainant's and Cindy Gamrats office.

:Josh Cline resigned from employment in April of 2015.

:On 05-16-2016 David Horr and Joe Gamrat have a text conversation that starts with David Horr texting "Burner phone audio evidence time to have an impartial party (MEI) reach out to Courser camp."

The text string also implies that there is audio evidence of the affair.

:On 05-19-2015 the "texter" (Horr) begins sending text from 313-421-5345 to several people including the complainant. The second text sent states "The phone is a burner...dont even try it".

:On 05-20-2015 the texter sends "Relax. I'm not leaking anything...yet. Pay people better to keep quiet..I pay them better for info. #Radisson. This text came shortly after Cindy Gamrat threatened suicide to Joe Gamrat during a telephone conversation.

:The texter also contacted and had text conversations with Wendy Day.

:The texter ask Wendy Day to contact Joe Gamrat and state "It's Wendy you and Cindy are in my prayers"....thats it.

:The texter advises that he will know if Wendy Day makes this call.

:On 09-09-2015 Undersigned Officer gets a search warrant for information on 313-421-5345.

PAGE 1 of 3	INVESTIGATED BY D/SGT KRAIG BRIFVEC #107	REPORTED BY <i>[Signature]</i>	REVIEWED BY
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MSP - Joe Gamrat Deleted Texts

Joey did tell me that when he talked to Cindy she sounded really bad - tired, haggard, etc. :)

By the way, he obviously didn't take a shower this am as the shower curtain was ""out"" of the tub? Must have had a bath last night?

Verizon website says *67 will provide the call receiver with ""private"", ""anonymous"", or ""restricted""

text: Did Todd's privileges get removed from Cindy's Nationbuilder and vice versa? And that would be for any and all of Cindy's usernames on Todd's?

text: Cindy told me she was contacted by Chad Livingood of the Free Press and said that he talked to Todd regarding and audio of Todd admitting to the affair. Also told her that he has audio of the three of them at the State House where she admits to it as well. She asked me to pray about it and said it will likely come out tonight or tomorrow. They had video cameras at Todd's office this morning.

*text: Cindy has been making plans for DC to leave 4/8 am, return 4/10 pm (of course I don't know this!).

Although, she now has two meetings next week on 4/8 pm that she needs to be at, so??? Unless she leaves late from metro on 4/8 I'm thinking she might not be going. "

text: Cindy also told me that apparently there's nothing she can do because I said "obviously others know about what is going on". She said then it doesn't matter does it? I said sure it does, you can try to save your marriage and family by stopping what you're doing. Also, I don't know what will happen. Maybe nothing. Maybe something. All I can tell you is that you need to end it now.

"text: Cin It is not up to me to go into your computer to get the files, it is up to you to take the step and give them to me. I only asked for the computer because a week had went by and you still didn't give them to me. You used your computer to store and listen to hundreds of hours recordings of my private conversations. If you cared you would see that giving me the files and showing me that everything is erased would be a healing step for me and go a long way for you rebuilding trust. You had your computer out in the table while I was gone at my moms then Saugatuck the entire time. Yet for the two days before that when I was gone and you had supposedly found the files, your computer was locked in your truck and not brought in the house.

MSP-Joe Gamrat Deleted Texts

text: Hotel room is considered private.

text: Hotel has now told me that his reservation is for Tuesday and Wednesday, not Monday and Tuesday. S

"text: Hey, my apologies because I feel bad that I'm copying and pasting this to you. But here are some thoughts I have:

Tomorrow afternoon will be a press conference with Cindy in East Lansing. I am planning on going to that and supporting her in that statement. I don't know where this all goes eventually but I feel that it is MY duty to be there, even if she may ultimately not be able to see our marriage working. In my eyes, although I'm doing it for Cindy, I'm ultimately doing it for my kids and showing

◆◆◆76.U◆.....◆\...)U....5008FFC9-94DA-4FF5-BDB0-79244DD7D877 Meghan said Joey is ticked off...Palge said she feels a"

text: Haha. Ok. Nothing yet but I know that she told "someone else" that she found a recorder. I'm sure it will get interesting. Appreciate your thoughts. I hope dinner was good. It looked excellent!

"text: Fox Detroit called and asked Cindy for comment. They said the story is running tomorrow. She said no comment. She is also planning on canceling our counseling session for tomorrow pm because she doesn't know where she'll be at mentally tomorrow and what she'll need to address. She is going to the GR zoo with the kids though.

I told her that fine, we'll push it off to a later date.

Should be interesting tomorrow. "

text: Ehh not much interaction with them thankfully. Todd was in a weird mood

text: Driving home now. Not sure what she's doing tonight. I may have dinner with Keith.

"text: Doesn't appear to be jailbroken or any weird apps on my end. Hmm.

5/20/2015 3:20:39 PM(UTC+0) Inbox Read
Relax. I'm not leaking anything...yet. Pay people better to keep quiet..I pay them better for info. #Radisson

5/20/2015 3:40:51 PM(UTC+0) Inbox Read
Let me make this CRYSTAL CLEAR. I need some open dialogue. I've heard from you Cindy...better tell Todd to man-up. As long as I'm appeased, my cargo will never reach port so to speak. Can I please get a confirmation.

5/21/2015 4:23:16 PM(UTC+0) Inbox Read
Good afternoon. Contrary to what you may think, I have other cases I'm working. Todd, go to your weekend retreat...enjoy this last holiday as a state employee. Big changes next week kids, as I change the political landscape.

5/21/2015 4:25:34 PM(UTC+0) Inbox Read
You both can prevent this really....you've never asked how?

5/21/2015 5:32:07 PM(UTC+0) Inbox Read
I can show your whereabouts when not in session, meetings, or together. Those whereabouts DO NOT include seedy alleys in Lansing having sex with men Todd. Grow up. I sell non-fiction...you however spin fairy tales and fiction. That email can't find another inbox....oh, change your passwords too. Dumb shit

5/22/2015 9:56:34 PM(UTC+0) Inbox Read
Hello?

5/22/2015 10:09:07 PM(UTC+0) Inbox Read
Cindy, Todd, Dan..we all on here?

5/24/2015 12:09:16 AM(UTC+0) Inbox Read
I'm letting everybody off the hook....on 1 condition only. You resign Todd, Tuesday. Mention your health, your new found family bond. DO NOT mention Cind , AT ALL.
Call me karma....this is for the others too!

5/26/2015 11:39:05 AM(UTC+0) Inbox Read
Rise and Resign day....Good morning Todd....hope you found your soul-searching weekend peaceful.



Radisson mention from burner phone

change your passwords too. Dumb shit

5-21-15

Good afternoon. Contrary to what you may think, I have other cases I'm working. Todd, go to your weekend retreat...enjoy this last holiday as a state emp

loyee Big changes next week kids, as I change the political landscape.

You both can prevent this really...you've never asked how?

5-22-15

Hello?

Cindy, Todd, Dan..we all on here?

5-23-15

I'm letting everybody off the hook....on 1 condition only. You resign Todd. Tuesday, Mention your health, your new found family bond. DO NOT mention Cind

y, AT ALL. Call me karma....this is for the others too!

5-26-15

Rise and Resign day....Good morning Todd...hope you found your soul-searching weekend peaceful.

5-27-15

I've reached out to an old friend with a little teaser. He's been fact-finding since 11am or so yesterday, building the puzzle, piece by piece. I told hi

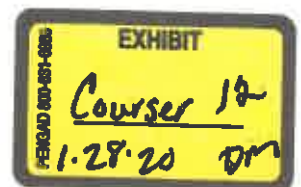
m I WILL NOT confirm the names of the woman/women. Rest assured, Tim Skubick will be in touch with you. Confirm the affair(s). NO NAMES.

5-28-15

517.643.0013

Call it....go ahead, do it. It's a personal cell.

Skubick questioned the authenticity of some of the audio. Not the story per se, rather how either of you let this happen. Not the affair....getting bugge



d. I drove up to the island yesterday, on your dime I shared 17 minutes of audio. 9-11 of sexual intimacy and 5-6 of dialogue so he could clearly unders

tand who he was listening too. He's going to label me as an anonymous source, a credible anonymous source Complete with photographic and video evidence

from DC and the Radisson. it was any easy sell. Let Joe and Fon know whats coming please.

6-9-15

Uh oh...good luck. I just got back in the states and heard the news.

7-8-15

Wow! Firing staff...be careful, the boys have A TON on you...they know everything I saw you recently Flint then near Great Lakes Crossing later. You gu

ys are easy but idiots. Oh, the Speaker is meeting with me on 8/3.

7-17-15

I was off the last few days and was offered the opportunity to do some surveillance....little did I know you'd drag me all the way to Flint....I used to

work out of that Target strip mall and often frequented Barnes/Noble....Keith and Ben were right, as was Joe...the inevitable WILL happen. Careers, fami

lies, homes. .shattered. We simply have too much on you, the server and police involvement notwithstanding.

7-21-15

I've been digging. How was camping Cin? Todd, your wife had an affair before, but then again, so have you...before Cindy. I may need some funding? Offers

to help?

7-22-15

I came across this number in this file: [260-504-6649](tel:260-504-6649) Its not Dans or Tims or either of yours? Whos is it?

Nevermind. I'll text it myself...

8-7-15

Amazing what would have happened had you simply listened. Too late. KABOOM!

chat-57

Start Time: 2/12/2015 10:29:35 AM(UTC-5)
Last Activity: 2/12/2015 10:29:35 AM(UTC-5)
Participants: +12605046649 Gamrat Joe
From: From: +12605046649 Gamrat Joe
Timestamp: 2/12/2015 10:29:35 AM(UTC-5)
Source App: iMessage: +12605046649
Body:
What would you make of this? Normal or abnormal?



chat-58

' Start Time: 2/12/2015 10:30:08 AM(UTC-5)
Last Activity: 2/12/2015 10:30:08 AM(UTC-5)
Participants: +12693652268 Krell Vincent
From: From: +12693652268 Krell Vincent
Timestamp: 2/12/2015 10:30:08 AM(UTC-5)
Source App: iMessage: +12605046649
Body:
What the f@% her room?

chat-59

Start Time: 2/12/2015 10:30:48 AM(UTC-5)
Last Activity: 2/12/2015 10:30:48 AM(UTC-5)
Participants: +12605046649 Gamrat Joe
From: From: +12605046649 Gamrat Joe
Timestamp: 2/12/2015 10:30:48 AM(UTC-5)
Source App: iMessage: +12605046649
Body:
His

chat-60

Start Time: 2/12/2015 10:33:28 AM(UTC-5)
Last Activity: 2/12/2015 10:33:28 AM(UTC-5)
Participants: +12693652268 Krell Vincent
From: From: +12693652268 Krell Vincent
Timestamp: 2/12/2015 10:33:28 AM(UTC-5)
Source App: iMessage: +12605046649

Body:

His clothes are still there

chat-61

Start Time: 2/12/2015 10:33:43 AM(UTC-5)
Last Activity: 2/12/2015 10:33:43 AM(UTC-5)
Participants: +12605046649 Gamrat Joe
From: From: +12605046649 Gamrat Joe
Timestamp: 2/12/2015 10:33:43 AM(UTC-5)
Source App: iMessage: +12605046649
Body:
He hasn't checked out yet.

chat-62

Start Time: 2/12/2015 10:33:57 AM(UTC-5)
Last Activity: 2/12/2015 10:33:57 AM(UTC-5)
Participants: +12605046649 Gamrat Joe
From: From: +12605046649 Gamrat Joe
Timestamp: 2/12/2015 10:33:57 AM(UTC-5)
Source App: iMessage: +12605046649
Body:
But he is scheduled to check out.

chat-63

Start Time: 2/12/2015 10:34:24 AM(UTC-5)
Last Activity: 2/12/2015 10:34:24 AM(UTC-5)
Participants: +12693652268 Krell Vincent
From: From: +12693652268 Krell Vincent
Timestamp: 2/12/2015 10:34:24 AM(UTC-5)
Source App: iMessage: +12605046649
Body:
Thought you were going to go home!

chat-64

Start Time: 2/12/2015 10:38:27 AM(UTC-5)

Last Activity: 2/12/2015 10:38:27 AM(UTC-5)

Participants: +12605046649 Gamrat Joe

From: From: +12605046649 Gamrat Joe

Timestamp: 2/12/2015 10:38:27 AM(UTC-5)

Source App: iMessage: +12605046649

Body:

I am on my way...now. Was looking for potential evidence like trash or a wrapper.
Nothing - which doesn't say a whole lot though.

chat-65

Start Time: 2/12/2015 10:40:03 AM(UTC-5)

Last Activity: 2/12/2015 10:40:03 AM(UTC-5)

Participants: +12605046649 Gamrat Joe

From: From: +12605046649 Gamrat Joe

Timestamp: 2/12/2015 10:40:03 AM(UTC-5)

Source App: iMessage: +12605046649

Body:

I just think it's strange that both beds are used. I typically sleep in one and put my suitcase or bag on the other. You? Heat was high too which is just the way Cindy likes it.

chat-66

Start Time: 2/12/2015 10:40:48 AM(UTC-5)
Last Activity: 2/12/2015 10:40:48 AM(UTC-5)
Participants: +12693652268 Krell Vincent
From: From: +12693652268 Krell Vincent
Timestamp: 2/12/2015 10:40:48 AM(UTC-5)
Source App: iMessage: +12605046649
Body:
Yeah some one was in both of those beds...

chat-67

Start Time: 2/12/2015 10:57:37 AM(UTC-5)

Last Activity: 2/12/2015 10:57:37 AM(UTC-5)

Participants: +12605046649 Gamrat Joe

From: From: +12605046649 Gamrat Joe

Timestamp: 2/12/2015 10:57:37 AM(UTC-5)

Source App: iMessage: +12605046649

Body:

Odd right? And he checked in at 7:51 Tuesday morning.

chat-68

Start Time: 2/12/2015 10:58:39 AM(UTC-5)

Last Activity: 2/12/2015 10:58:39 AM(UTC-5)

Participants: +12605046649 Gamrat Joe

From: From: +12605046649 Gamrat Joe

Timestamp: 2/12/2015 10:58:39 AM(UTC-5)

Source App: iMessage: +12605046649

Body:

I'll show you one of these days. We could be the Krell Gamrat Bureau of Investigation or KGB!

chat-69

Start Time: 2/12/2015 10:59:30 AM(UTC-5)

Last Activity: 2/12/2015 10:59:30 AM(UTC-5)

Participants: +12693652268 Krell Vincent

From: From: +12693652268 Krell Vincent

Timestamp: 2/12/2015 10:59:30 AM(UTC-5)

Source App: iMessage: +12605046649

Body:

Private investigators. we could make a killing. No pun intended:

chat-46

Start Time: 2/11/2015 6:49:19 PM(UTC-5)

Last Activity: 2/11/2015 6:49:19 PM(UTC-5)

Participants: +12605046649 Gamrat Joe

From: From: +12605046649 Gamrat Joe

Timestamp: 2/11/2015 6:49:19 PM(UTC-5)

Source App: iMessage: +12605046649

Body:

Don't know for certain now. When I called that morning they said there were two reservations And I know that his vehicle was there by 9 which is understood due to the start time for work. But??? He also said last night at the meeting that his day started at 430am. Cindy called him at 721am for 4 minutes, so maybe he got up at 430, got to Lansing around 7ish and checked in, calling Cindy from hotel phone? Had breakfast? Anyways, still smells bad.

chat-48

Start Time: 2/11/2015 11:55:14 PM(UTC-5)

Last Activity: 2/11/2015 11:55:14 PM(UTC-5)

Participants: +12605046649 Gamrat Joe

From: From: +12605046649 Gamrat Joe

Timestamp: 2/11/2015 11:55:14 PM(UTC-5)

Source App: iMessage: +12605046649

Body:

I was thinking of sometime in the middle of the night. That way if he answers the phone, after being awakened from sleep, in her room then BINGO. After all, someone could be calling him and Cindy answers(?) that would be suspicious too (from someone else's perspective) since the room is in his name.
